

CHAUTAUQUA COUNTY LEGISLATURE

03/24/2021

To View the Meeting on-line go to

<https://www.facebook.com/ChautauquaCountyGovernment/>

PUBLIC PARTICIPATION – Due to the COVID-19 crisis, The public may participate in Privilege of the Floor by emailing a statement prior to the County Legislature’s 6:30 PM meeting to the Clerk of the Legislature at TampioK@co.chautauqua.ny.us – emailed statements received by the Clerk shall be read during the Privilege of the Floor.

The public may participate in the public hearing in any of the following ways: (i) by emailing a statement prior to the County Legislature’s 6:30 PM meeting to the Clerk of the Legislature at TampioK@co.chautauqua.ny.us – emailed statements received by the Clerk shall be read during the public hearing; (ii) by mailing or delivering a statement prior to the County Legislature’s 6:30 PM meeting to the Clerk of the Legislature at 3 North Erie Street (Room #325), Mayville, N.Y. 14757– mailed and delivered statements received by the Clerk shall be read during the public hearing; (iii) by appearing in person at the Legislature Chambers during the 6:35 PM public hearing to make a live statement.

Chautauqua County Legislature

6:30 p.m.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR DAVIS

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 02/24/2021

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject relating to any local law, resolution, or motion appearing on the agenda.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes. Emailed comments will be read by the Clerk.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL

NO VETOES FROM 02/24/2021

COMMUNICATIONS:

- 1. Letter – County Executive Wendel – Appointment to Ethics Board**
 - 2. Report – Finance Director Crow – December 2020 Investment Report**
 - 3. Report – Finance Director Crow – January 2021 Investment Report**
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6:35 P.M.

PUBLIC HEARING

**REGARDING THE IMPLEMENTATION OF CHAUTAUQUA COUNTY'S
2019 COMMUNITY DEVELOPMENT BLOCK GRANT PROGRAM,
"CHAUTAUQUA SEPTICS AND WELLS", FUNDED BY THE NEW YORK
STATE HOMES AND COMMUNITY RENEWAL HOUSING TRUST FUND
CORPORATION'S OFFICE OF COMMUNITY RENEWAL**

TABLED RES 65-21 – Application for Credit of Real Property Taxes for 2021

RENEW & AMEND RES 62-21 – Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

RESOLUTIONS:

- 66-21 Confirm Appointment - Chautauqua County Ethics Board**
- 67-21 Amend Parks Capital Accounts**
- 68-21 Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal-Aid Project PIN 5761.82**
- 69-21 Vehicle Loan Agreement – E2CCB**
- 70-21 Adoption and Certification of New York State Police Reform and Reinvention Collaborative Plan**
- 71-21 Amend 2021 Budget for Grant Expenses – Office of the Sheriff**
- 72-21 Amend 2021 Budget for Capital Project: Jail Upgrades**
- 73-21 Amend 2020 Budget for Year End Reconciliations – Additional Adjustments for Various Departments**
- 74-21 Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal – Septic and Wells Program**
- 75-21 Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant**
- 76-21 Close Capital Projects – 2020 Year End Reconciliation**
- 77-21 Authorization for Receipt of Bids and Offers via Electronic Submission**
- 78-21 Extend 2020 Tax Foreclosure Redemption Date**
- 79-21 Application for Credit of Real Property Taxes for 2021**
- 80-21 Appointment – Loren T. Kent (D) Commissioner of Elections**

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ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes. Emailed comments will be read by the Clerk.

CHAUTAUQUA COUNTY
RESOLUTION NO. 62-21

CLS 02/01/21
KMD 02/01/21
KMW 02.04.21
SMA 02/04/21
KLC 02/04/21
PMW 2/5/21

TITLE: Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal and the Uses of Said Funding

BY: Human Services Committee:

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

WHEREAS, the Office of Community Renewal is expected to release a Notice of Funding Availability (NOFA) for the 2021 Community Development Block Grant (CDBG) program, a federally funded program authorized by Title I of the Housing and Community Development Act of 1974, under its Housing Resources NOFA, during spring 2021; and

WHEREAS, the CDBG Program Housing Resources program provides funding to eligible communities for housing activities including housing rehabilitation, homeownership, manufactured housing rehabilitation or replacement, well and septic replacement, and lateral connection assistance that primarily benefits low- and moderate-income persons; and

WHEREAS, the County is considering applying for funding for the Chautauqua Septics and Wells Program, under this NOFA, for those residing in eligible, non-entitlement communities within Chautauqua County; and

WHEREAS, the County seeks public input on community development, housing needs, and proposed activities under the CDBG program, especially input from low- and moderate-income residents; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on March 24, 2021, at 6:40 p.m., in a manner consistent with CDBG program requirements; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least seven (7) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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TABLED RES. NO. 65-21
Application for Credit of Real Property Taxes for 2021

By Administrative Services and Audit & Control Committees:

At the Request of Request of County Executive Paul M. Wendel Jr.:

WHEREAS, the Director of Real Property Tax Services has received form RP-554 “Application for Corrected Tax Roll” from the City of Dunkirk Industrial Development Agency (IDA) (PID 79.11-1-10) for correction of a tax liability on the parcel in the amount of \$29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that a County Tax was levied on the parcel for the 2021 fiscal year in the amount of \$29,979.63, and;

WHEREAS, the Director of Real Property Tax Services has determined that the parcel was subject to a PILOT Agreement with the City of Dunkirk IDA exempt from County Tax and;

WHEREAS, the local assessor made an error in the tax roll by removing the exemption code on the parcel, and;

WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds \$2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Niebel, Odell (Voted “yes” by Video Conference) (Failed in A.C. with Nazzaro, Gould, Harmon Voting “no”) (2/24/21 Tabled by Legislature)

RES. NO. 66-21
Confirm Appointment - Chautauqua County Ethics Board

By Administrative Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Ethics Board.

Dr. John Hamels
5996 Welch Hill Road
Ripley, NY 14775
Term Expires 1/31/2024

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted “yes” by Video Conference)

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RES. NO. 67-21
Amend Parks Capital Accounts

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Department of Public Facilities Parks Division is responsible for maintaining and improving parks, overland trails and water trails; and

WHEREAS, the Parks Division has two approved Capital Projects, H.7110.25171 Replace Front Deck Mower (2020) and H7110.25201 John Deere Tractor (2021), for which costs exceed initial budgetary estimates; and

WHEREAS, there are available funds in Capital Project H.7110.25005 Park Capital Improvements to accommodate the additional costs to purchase the equipment; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changed to the 2021 Adopted budget:

DECREASE APPROPRIATION ACCOUNT:

H.7110.25002.4	Contractual—Parks, Parks Capital Improvement	\$738
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INCREASE APPROPRIATION ACCOUNTS:

H.7110.25171.4	Contractual—Parks, Front Deck Mower (2020)	\$486
H.7110.25201.4	Contractual—Parks, John Deere Tractor (2021)	<u>\$252</u>
	Total	\$738

DECREASE REVENUE ACCOUNT:

H.7110.25002.R265.2000	Sale of Property/Compensa—Sale of Forest Products	\$738
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INCREASE REVENUE ACCOUNTS:

H.7110.25171.R265.2000	Sale of Property/Compensa—Sale of Forest Products	\$486
H.7110.25201.R265.2000	Sale of Property/Compensa—Sale of Forest Products	<u>\$252</u>
	Total	\$738

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted “yes” by Video Conference)

RES. NO. 68-21
Authorize Supplemental Agreement No. 1 with NY State DOT for Performance of Federal-Aid Project PIN 5761.82

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

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WHEREAS, the project for the replacement of the County Bridge 1082, Foote Ave. over Chadakoin River , BIN 2258390, in the City of Jamestown, Chautauqua County, PIN 5761.82 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$285,000, to be borne at the ratio of 80% Federal funds, 15% State Funds and 5% County funds; and

WHEREAS, the County of Chautauqua will design, let and construct the Project; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5761.82; and

WHEREAS, the local share is now calculated to increase by \$1,250.00 to have an estimated total of \$15,000 for the Design and Right of Way phases of the Project; now therefore be it

RESOLVED, that the County Legislature of the County of Chautauqua hereby approves the above-subject Project; and be it further

RESOLVED, that the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and be it further

RESOLVED, that in the event the full federal and nonfederal share costs of the Project exceed the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, that the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, that a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

RESOLVED, that the A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----878.0000	Reserved Fund Balance—Reserve for Capital	\$1,250
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; and be it further

RESOLVED, that this Resolution shall take effect immediately and that the Director of Finance is directed to make the following changes to the 2021 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfers--Transfer to Capital	\$1,250
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual--Capital Improvements, Funded Bridge Program	\$10,000
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INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000	Interfund Transfers--Interfund Transfer	\$ 1,250
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	\$ 8,000
D.5112.389.R358.9003	NYS Aid--Marchiselli Funds	\$ 750
	Total	\$10,000

Signed: Hemmer, Scudder, Nazzaro, Gould, Davis, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

RES. NO. 69-21
Vehicle Loan Agreement – E2CCB

By Public Safety Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County is the owner of a 2016 Chevrolet Impala bearing VIN 2G1WD5E33G1157348, (hereinafter the "Vehicle") that was previously used as a law enforcement vehicle; and

WHEREAS, the Vehicle is no longer suitable for daily road patrol duties and County is willing to loan the Vehicle to BOCES for use by students in BOCES's Criminal Justice Program at the Hewes Educational Center located at 2615 N. Maple Avenue, Ashville, NY 14710; and

WHEREAS, BOCES is willing to borrow the Vehicle from the County for educational use with and by the students in its Criminal Justice Program reference above; and

WHEREAS, there is no cost for the use of this vehicle except for repairs and maintenance, which will be paid by BOCES during the continuance of this loan; now therefore be it

RESOLVED, That the County Executive is authorized to execute all necessary documents to effect the loan of the subject police car to BOCES for educational purposes.
Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video Conference)

RES. NO. 70-21
Adoption and Certification of New York State Police Reform and Reinvention Collaborative Plan

By Public Safety Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, New York State issued Executive Order 203 on June 12, 2020, requiring each local government in the State to adopt a policing reform plan by April 1, 2021; and

WHEREAS, the Sheriff's Office has over the past several months distributed written surveys and reached out to many diverse community stakeholders to develop the draft plan; and

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WHEREAS, while many of the elements of the draft plan were already underway, or were existing policies of the Sheriff's Office, the community input process provided an opportunity for broad introspection and review; and

WHEREAS, the draft plan has been made available both on-line and in local libraries, with written comments to be submitted by email, regular mail, or by hand delivery to the Sheriff's Office, and the holding of five (5) virtual public sessions conducted during March, so that members of the community could learn more about the plan and provide comment; now therefore be it

RESOLVED, That after consideration of the foregoing community input and comment, the Chautauqua County Legislature hereby approves the Chautauqua County Sheriff's Police Reform and Reinvention Collaborative Plan on file with the Clerk of the County Legislature; and be it further

RESOLVED, That the County Executive is hereby authorized to execute the New York State Police Reform and Reinvention Collaborative Plan Certification.

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer (Voted "yes" by Video Conference)

RES. NO. 71-21

Amend 2021 Budget for Grant Expenses – Office of the Sheriff

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, purchase orders for grant-funded equipment were prepared in 2020 for the Office of the Sheriff, but the purchases were not completed in 2020; and

WHEREAS, the 2020 budget for the equipment was encumbered so it automatically rolled forward into the 2021 budget; and

WHEREAS, the budget that was rolled forward into 2021 is not in the correct department because the department numbers on the 2020 purchase orders do not align with departmental accounting methods implemented in 2021; now therefore be it

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

DECREASE APPROPRIATION ACCOUNT:

A.3020.PSCN.2	Equipment - Publ Safety Communication - Pub Sfty Communications	\$86,096
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INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.2	Equipment - Sheriff - Sheriff Grants	\$86,096
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Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted "yes" by Video Conference)

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RES. NO. 72-21
Amend 2021 Budget for Capital Project: Jail Upgrades

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County established a capital project for Jail Upgrades in 2017; and
WHEREAS, the total project expenses will exceed initial budgetary estimates due to additional installation requirements; and

WHEREAS, the Roof Replacement Capital Project has a surplus; therefore be it

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

INCREASE CAPITAL REVENUE ACCOUNT:

H.3150.06963.R503.1000 Interfund Transfer – Interfund Transfer \$3,065

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.3150.06963.4 Contractual—Jail, Jail Upgrades (2017) \$3,065

DECREASE CAPITAL REVENUE ACCOUNT:

H.3110.06003.R503.1000 Interfund Transfer – Interfund Transfer \$3,065

DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.3110.06003.4 Contractual—Sheriff, Roof Replacement (2019) \$3,065

Signed: Niebel, Pavlock, Bankoski, Whitford, Hemmer, Nazzaro, Gould, Odell, Harmon (Voted “yes” by Video Conference)

RES. NO. 73-21

Amend 2020 Budget for Year End Reconciliations – Additional Adjustments for Various
Departments

By Audit & Control Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some departmental expenses have exceeded initial budgetary estimates, primarily due to the final reconciliation of health insurance charges to departments, as well as some appropriations have a surplus; and

WHEREAS, some departments have received revenues in excess of budget, or require other adjustments to their revenue budgets; now therefore be it

RESOLVED, That A Fund Balance is appropriated at follows:

DECREASE THE USE OF FUND BALANCES:

A.-----878.0000	Reserved Fund Balance--Reserve for Capital	\$41,332
A.-----889.WATR	Reserved Fund Balance--Misc Res: Lakes & Watrway	<u>\$13,250</u>
	Total	\$54,582

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;and be it further

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

INCREASE APPROPRIATION ACCOUNTS:

A.1040.----.8	Employee Benefits - Clerk, Legislative Board	\$4,102
A.1165.----.8	Employee Benefits - District Attorney	\$10,767
A.1165.1169.4	Contractual - District Attorney, Crime Victims	\$1
A.1165.1169.8	Employee Benefits - District Attorney, Crime Victims	\$3,061
A.1185.----.8	Employee Benefits - Med Examiners & Coroners	\$777
A.1230.----.8	Employee Benefits - County Executive	\$2,380
A.1310.----.8	Employee Benefits - Department of Finance	\$11,785
A.1410.----.8	Employee Benefits - County Clerk	\$5,014
A.1410.1411.8	Employee Benefits - County Clerk, Motor Vehicles	\$14,390
A.1420.----.1	Personal Services - County Attorney	\$1
A.1420.----.8	Personal Services - County Attorney	\$3,313
A.1430.----.8	Employee Benefits - Human Resources	\$7,695
A.1430.BENE.8	Employee Benefits - Human Resources, Health Insurance Benefits	\$1,981
A.1430.COEM.8	Employee Benefits - Human Resources, Countywide Employee Exps	\$917
A.1440.----.8	Employee Benefits - Engineers	\$4,971
A.1460.----.8	Employee Benefits - Records Management	\$1,275
A.1610.----.8	Employee Benefits - Office Services	\$2,280
A.1620.----.8	Employee Benefits - Buildings & Grounds	\$14,738
A.1650.----.8	Employee Benefits - Communications System	\$292
A.1710.----.8	Employee Benefits - Insurance Administration	\$3,214
A.1989.----.8	Employee Benefits - Tax Rolls Maint & Process	\$691
A.2490.----.4	Contractual - Community College Tuition	\$3,610
A.3010.----.8	Employee Benefits - Emergency Services	\$1,708
A.3020.DISP.8	Employee Benefits - Publ Safety Communication, Consolidated Dispatching	\$19,780
A.3020.TECH.8	Employee Benefits - Publ Safety Communication, Technical Services	\$4,742
A.3110.----.4	Contractual - Sheriff	\$2,294
A.3110.----.8	Employee Benefits - Sheriff	\$40,696
A.3110.3114.8	Employee Benefits - Sheriff, Pistol Permit	\$1,275
A.3150.----.8	Employee Benefits - Jail	\$84,085
A.3189.3112.8	Employee Benefits - Other Law Enforcement, Snowmobile	\$605

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A.3989.----.8	Employee Benefits - Emergency Medical Service	\$825
A.3989.EMS.8	Employee Benefits - Emergency Medical Service, Fly Car & Ambulance Services	\$8,642
A.4010.NURS.1	Personal Services - Public Health Admin, Nursing	\$21,403
A.4010.NURS.8	Employee Benefits - Public Health Admin, Nursing	\$29,311
A.4017.JAIL.8	Employee Benefits - Clinics, Jail	\$5,235
A.4059.----.8	Employee Benefits - Early Intervention	\$3,786
A.4090.----.8	Employee Benefits - Environmental Health	\$14,334
A.5610.5610.8	Employee Benefits - Chautauqua County Airport, Jamestown Airport	\$2,363
A.5630.5625.8	Employee Benefits - Bus Operations, CARTS	\$13,788
A.6010.----.8	Employee Benefits - Social Services Admin	\$144,994
A.6420.----.1	Personal Services - Promotion of Industry	\$675
A.6510.----.8	Employee Benefits - Veterans Service Agency	\$1,320
A.6610.----.8	Employee Benefits - Weights & Measures	\$918
A.7710.----.8	Employee Benefits - Parks	\$1,946
A.8020.WTRS.8	Employee Benefits - Planning, Watershed Administration	\$1,398
D.5010.----.8	Employee Benefits - Public Facilities Administration	\$3,732
D.5110.----.8	Employee Benefits - Maintenance of Roads	\$10,666
DM.5130.----.8	Employee Benefits - Road Machinery	\$12,957
EL.8160.6000.8	Employee Benefits - Environment, Closed Landfills	\$3,179
EL.8160.7000.8	Employee Benefits - Environment, Recycling	\$16,493
EL.8189.----.8	Employee Benefits - Oth Env, House Haz Waste	\$114
ESN.8120.8122.8	Employee Benefits - Sanitary Sewers, Sanitary Sewers	\$4,165
ESP.8120.8124.8	Employee Benefits - Sanitary Sewers, Sanitary Sewers	\$971
ESS.8130.----.8	Employee Benefits - Sewage Treatment	\$28,646
EW.8310.----.8	Employee Benefits - Water District	\$302
EWN.8310.----.8	Employee Benefits - Water District	\$562
H.8020.674.4	Contractual - Planning, Chaut Lake Managemnt Comm (2008)	<u>\$692</u>
	Total	\$594,942

DECREASE APPROPRIATION ACCOUNTS:

A.1040.----.4	Contractual - Clerk, Legislative Board	\$4,102
A.1185.----.4	Contractual - Med Examiners & Coroners	\$777
A.1230.----.4	Contractual - County Executive	\$2,380
A.1310.----.4	Contractual - Department of Finance	\$15,690

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A.1420.----.4	Contractual - County Attorney	\$252
A.1680.----.4	Contractual - Information Technology	\$11,657
A.3010.----.4	Contractual - Emergency Services	\$1,708
A.3110.----.1	Personal Services - Sheriff	\$25,967
A.3110.3114.4	Contractual - Sheriff, Pistol Permit	\$1,275
A.3189.3112.4	Contractual - Other Law Enforcement, Snowmobile	\$605
A.3989.EMS.1	Personal Services - Emergency Medical Service, Fly Car & Ambulance Services	\$40,474
A.3989.EMS.4	Contractual - Emergency Medical Service, Fly Car & Ambulance Services	\$16,593
A.4010.NURS.4	Contractual - Public Health Admin, Nursing	\$50,714
A.4059.----.4	Contractual - Early Intervention	\$3,786
A.4090.----.4	Contractual - Environmental Health	\$14,334
A.5610.5610.1	Personal Services - Chautauqua County Airport, Jamestown Airport	\$3,849
A.5610.5612.8	Employee Benefits - Chautauqua County Airport, Dunkirk Airport	\$13,243
A.5630.5625.4	Contractual - Bus Operations, CARTS	\$13,788
A.6010.----.1	Personal Services - Social Services Admin	\$150,229
A.6420.----.4	Contractual - Promotion of Industry	\$675
A.6510.----.4	Contractual - Veterans Service Agency	\$1,320
A.7110.----.2	Equipment - Parks	\$3,200
A.7110.----.4	Contractual - Parks	\$1,477
A.8020.WTRS.1	Personal Services - Planning, Watershed Administration	\$1,398
A.9950.----.9	Interfund Transfers - Transfer to Capital	\$54,582
D.5110.----.4	Contractual - Maintenance of Roads	\$14,398
DM.5130.----.4	Contractual - Road Machinery	\$12,957
EL.8160.1000.8	Employee Benefits - Environment, Landfill	\$104,758
ESN.8110.8112.8	Employee Benefits - Administration, Administration	\$4,165
ESP.8120.8124.4	Contractual - Sanitary, Sanitary	\$971
ESS.8110.----.8	Employee Benefits - Administration	\$28,646
EW.8310.----.4	Contractual - Water District	\$302
EWN.8310.----.4	Contractual - Water District	\$562
H.3410.510.4	Contractual - Basic Fire Academy, Training Center Enhance (1990)	\$85,177
H.7110.25002.4	Contractual - Parks, Parks Capital Improvements (2018)	\$36,500
H.8020.37988.4	Contractual - Planning, Lkwd-Busti Stormwater Mgmt (2017)	\$13,250

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H.8020.37001.4	Contractual - Planning, Mayville Stormwater Study (2018)		<u>\$692</u>
		Total	\$736,453

INCREASE REVENUE ACCOUNTS:

A.1310.9999.R111.0000	Non Property Tax Items-Sales Tax		\$52,691
A.3150.----.R226.0MHS	Shared Services-Chrgs: Oth Gov - Marsh Hous		\$125,630
A.5610.5610.R177.0000	Departmental Income-Fees & Rental: Airport		\$2,249
H.3410.510.R265.0000	Sale of Property/Compasa-Sale of Scrap		\$655
H.3410.510.R277.0004	Miscellaneous-Other Uncl: Refund Rebate		\$904
H.5630.25886.R359.7000	New York State Aid-Transp Capital		\$13,800
H.6010.31001.R503.1000	Interfund Transfers-Interfund Transfer		\$17,387
H.8020.674.R503.1000	Interfund Transfers-Interfund Transfer		<u>\$692</u>
		Total	\$214,008

DECREASE REVENUE ACCOUNTS:

EL.8160.1000.R237.6000	Shared Services-CHRGs: OCC MUNICIPAL		\$84,972
A.3989.EMS.R266.5000	Sale of Property/Compensa-Sale of Equipment		\$47,600
H.3410.510.R226.0001	Shared Services-Chrgs: Oth Gov-JCC Reimb		\$809
H.3410.510.R339.7000	New York State Aid-Public Safety Capital		\$41,008
H.3410.510.R503.1000	Interfund Transfers-Interfund Transfer		\$44,919
H.5630.25886.R503.1000	Interfund Transfers-Interfund Transfer		\$13,800
H.6010.31001.R368.9001	New York State Aid-Soc Srvcs Capital Funding		\$9,670
H.6010.31001.R468.9001	Federal Aid-Soc Srvcs Capital Funding		\$7,717
H.7110.25002.R265.2000	Sale of Property/Compasa-Sale of Forest Products		\$36,500
H.8020.37988.R503.1000	Interfund Transfers-Interfund Transfer		\$13,250
H.8020.37001.R503.1000	Interfund Transfers-Interfund Transfer		<u>\$692</u>
		Total	\$300,937

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted "yes" by Video Conference)

RES. NO.74-21

Authorize Grant Application for 2021 Community Development Block Grant Funding through the New York State Office of Community Renewal – Septic and Wells Program

By Human Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County desires to submit a 2021 Community Development Block Grant (CDBG) application to the New York State Office of Community Renewal seeking \$224,950.00 for a private water and wastewater assistance project (the Project), designed to assist low and moderate income persons with repair and replacement of their water and wastewater systems; and

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WHEREAS, pursuant to Resolution 62-21 the Chautauqua County Legislature held a public hearing to obtain public input relevant to the proposed Project; and

WHEREAS, the Project grant application, due on April 9, 2021, requires the applicant to certify that the governing body has authorized and directed certain actions by a designated representative of the County; therefore be it

RESOLVED, That Director of Health and Human Services, Christine Schuyler, is hereby designated as the official representative of the County to act in connection with the submission of this CDBG Project application; and be it further

RESOLVED, That the Director of Health and Human Services is authorized and directed to submit a Project application for CDBG funding and all understandings and assurances contained therein, and to provide such additional information as may be required; and be it further

RESOLVED, That the County Executive is authorized to execute any agreements and associated documents necessary to receive such funding.

Signed: Pavlock; Voted "yes" by Video Conference: Rankin, Whitford, Whitney, Lawton

RES. NO. 75-21

Authorizing Public Hearing Regarding a Potential Application for 2021 Community Development Block Grant

By Planning & Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County wishes to assess the advisability of submitting a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal ("OCR") for a grant to implement a microenterprise assistance program; and

WHEREAS, the County is required prior to submitting an application for CDBG funding to hold a public hearing pursuant to 24 CFR §§ 570.431 and 570.486 to provide information to the public on the CDBG program and the proposed project, and to accept public comments regarding community needs; now therefore be it

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on April 28, 2021, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed CDBG funding application; and be it further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County's website, and by publishing such notice at least once in the official newspaper of the County.

Signed: Odell, Starks, Muldowney, Harmon, Ward, Rankin, Lawton (Voted "yes" by Video Conference)

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RES. NO. 76-21
Close Capital Projects – 2020 Year End Reconciliation

By Audit & Control Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the following capital projects have been completed and can be closed:

H-1680-636 INFORMATION TECHNOLOGY-TELEPHONE SYSTEM UPGRADE (2006)
H-3410-510 BASIC FIRE ACADEMY-TRAINING CENTER ENHANCE (1990)
H-5610-25813 CHAUTAUQUA COUNTY AIRPORT-REHAB TAXIWAY F - JMST (2015)
H-8020-37001 PLANNING-MAYVILLE SORMWATER STUDY (2018)
H-8020-37988 PLANNING-LKWD-BUSTI STORMWATER MGMT (2017)

; now therefore be it

RESOLVED, That the Director of Finance close the capital projects listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

RESOLVED, That, upon completion of audit and reconciliation of the closed capital projects, any surplus or deficit be adjusted to the appropriate Fund or Reserve for Capital.

Signed: Nazzaro, Gould, Niebel, Odell, Harmon (Voted “yes” by Video Conference)

RES. NO. 77-21
Authorization for Receipt of Bids and Offers via Electronic Submission

By Administrative Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, New York State General Municipal Law §103(1) authorizes the County to receive sealed bids and sealed offers via electronic submission, provided receipt in such a manner is authorized by legislative resolution; and

WHEREAS, this provision does not apply to purchase contracts necessary for the completion of a public works contract pursuant to Article 8 of New York State Labor Law; and

WHEREAS, electronic receipt of sealed bids and offers will be convenient for those interested in providing goods and services for the County and may enhance competition; now therefore be it

RESOLVED, That receipt of electronically submitted sealed bids and sealed offers, including electronic receipt of statements of non-collusion required by General Municipal Law, is hereby authorized, with the exception of bids and offers pertaining to public works subject to Article 8 of New York State Labor Law; and be it further

RESOLVED, That bids and offers submitted in an electronic format be transmitted by bidders and offerers to the receiving device designated by the County’s Director of Finance; and be it further

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RESOLVED, That the method used to receive electronic bids and offers comply with State Technology Law Article 3 and rules and regulations promulgated thereunder, including regulations found at 9 NYCRR Part 540, and that NYS Office of Information Technology Services' Electronic Signatures and Records Act guidelines be considered; and be it further

RESOLVED, That at a minimum, the method used to track electronic bids (a) document the time and date of receipt of each bid and offer received electronically; (b) authenticate the identity of the sender; (c) ensure the security of the information transmitted; and (d) ensure the confidentiality of the bid or offer until the time and date established for the opening of bids or offers; and be it further

RESOLVED, That submission in electronic format may, for technology contracts only, be required as the sole method for the submission of bids and offers.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

RES. NO. 78-21
Extend 2020 Tax Foreclosure Redemption Date

By Administrative Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Article 11 of the Real Property Tax Law, the redemption date in a tax foreclosure proceeding is the last day a property owner can redeem a property by paying the delinquent taxes, and also the last day a property owner may file an answer in the tax foreclosure proceeding; and

WHEREAS, due to the COVID-19 crisis, the County previously extended the 2020 tax foreclosure redemption date from April 15, 2020 to April 15, 2021, in order to afford additional time for property owners affected by the pandemic to redeem their foreclosed property; and

WHEREAS, on December 28, 2020, the Governor signed the COVID-19 Emergency Eviction and Foreclosure Prevention Act of 2020 (the "Act"), which provided further limitations on foreclosure actions through May 1, 2021; and

WHEREAS, as a result of the Act, it is now appropriate to further extend the 2020 tax foreclosure redemption date to a date later than May 1, 2021; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby designates Friday, June 18, 2021, as the extended redemption date in the County's annual tax foreclosure for 2020.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom (Voted "yes" by Video Conference)

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RES. NO. 79-21
Application for Credit of Real Property Taxes for 2021

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel Jr.:

WHEREAS, the Director of Real Property Tax Services has received form RP-554 “Application for Corrected Tax Roll” from Daniel Davies (PID 420.19-1-43) for correction of a tax liability on the parcel in the amount of \$7,675.73, and;

WHEREAS, the Director of Real Property Tax Services has determined that a County Tax was levied on the parcel for the 2021 fiscal year in the amount of \$7,748.90, inclusive of a relieved School Tax of \$4,862.01, and;

WHEREAS, the local assessor made an error in the tax roll by prematurely removing an exemption code on the parcel, and;

WHEREAS, in accordance with RES 4-17 the amount of the correction exceeds \$2,500, be it further

RESOLVED, That the Director of Real Property Tax Services is hereby authorized to correct the 2021 Tax Roll.

Signed: Scudder, Muldowney, Starks, Davis, Vanstrom, Nazzaro, Gould, Niebel, Odell, Harmon
(Voted “yes” by Video Conference)

RES. NO. 80-21

Appointment – Loren T. Kent (D) Commissioner of Elections

At the Request of Legislators Nazzaro, Bankoski, Whitford, Starks, and Whitney, being all of the members of the County Legislature who are members of the Democratic Party

WHEREAS, on October 6, 2020, the Chair of the Democratic County Committee of the County of Chautauqua filed with the Clerk of the County Legislature a certificate recommending Luz Torres for appointment to the office of Commissioner of Elections for a term beginning January 1, 2021, and neither the Chautauqua County Legislature, nor the members of the County Legislature who are members of the Democratic Party, appointed Luz Torres to the office of Commissioner of Elections; and

WHEREAS, on December 30, 2020, and January 4, 2021, the Chair of the Democratic County Committee of the County of Chautauqua filed with the Clerk of the County Legislature certificates recommending Norman P. Green for appointment to the office of Commissioner of Elections for a term beginning January 1, 2021, and neither the Chautauqua County Legislature, nor the members of the County Legislature who are members of the Democratic Party, appointed Norman P. Green to the office of Commissioner of Elections; and

WHEREAS, in the matter of *Wood v. County of Cortland*, 23 Misc. 3d 913 (2009), the New York Supreme Court for Cortland County held that there is no statutory authority under New York Election Law Section 3-204 for a party county committee to file a third certificate of recommendation, and that the filing of a third certificate is of no effect; and

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WHEREAS, county commissioners of elections are appointed officers of a local government, and pursuant to Section 1(b) of Article IX of the New York State Constitution, all appointed local officers shall only be appointed by officers of the local government, and

WHEREAS, in furtherance of Section 1(b) of Article IX of the New York State Constitution, New York Election Law Section 3-204 provides that commissioners of election may only be appointed by the county legislative body, or by members of the legislative body who are members of the same party as the commissioner being appointed; therefore be it

RESOLVED, that the Chautauqua County Legislature, and the members of the County Legislature who are members of the Democratic Party, hereby appoint Loren T. Kent as Democratic Commissioner of Elections for the County of Chautauqua for the remainder of the term of four (4) years that commenced January 1, 2021, and ending December 31, 2024, at the salary provided in Local Law 3-98 increased in conformity with the increases provided for County Managers under the Management Salary Plan; and be it further

RESOLVED, that the appointment of Loren T. Kent as set forth above, approved by a roll-call vote of the Chautauqua County Legislature, including all of the members of the County Legislature who are members of the Democratic Party, is intended to constitute separate and concurrent resolutions of appointment by both the Chautauqua County Legislature acting as a whole, and by the members of the County Legislature who are members of the Democratic Party, acting as a caucus.

Signed: Nazzaro, Bankoski, Whitford, Starks, Whitney (Virtual Signatures)