

Regular Meeting
Chautauqua County Legislature
**Meeting was Held Virtually due to Social Distancing Guidelines
And Live Streamed on Social Media**
Wednesday, April 28, 2021 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Clerk Tampio called the roll and announced a quorum present

Legislator Harmon delivered the prayer and pledge of allegiance.

1st Privilege of the Floor

Chairman Chagnon: Kathy, were there any communications received for the first privilege of the floor?

Clerk Tampio: I have not received any communications by mail or email, however as Olivia said, we have members of the public in Chambers, so I'm not sure if they are here to speak to the first privilege of the floor.

Chairman Chagnon: Olivia, are the members in the Chambers here to speak to the first privilege of the floor?

Ms. Ames: They are all here to speak at the second privilege of the floor.

Chairman Chagnon: O.K.

Legislator Scudder: Mr. Chairman? I believe we skipped the approval of the minutes.

Chairman Chagnon: Thank you Mr. Scudder. So, Olivia, I believe you confirmed that no one in Chambers wishes to address the first privilege of the floor?

Ms. Ames: That's correct.

Chairman Chagnon: O.K., then we will back up to the approval of the minutes of the regular County Legislature meeting on March 24th and the minutes of the special meeting of the Legislature on April 6th.

MOVED by Legislator Bankoski, SECONDED by Legislator Rankin and duly carried the minutes were approved. (03/24/2021 & 04/06/2021)

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL

NO VETOES FROM 03/24/2021 & 04/06/2021

COMMUNICATIONS:

Clerk Tampio: We are in receipt of 10 communications as listed on your agenda this evening. Are there any items that you would like to be read aloud? Hearing none, if you would like a copy of any of these communications please notify our office.

1. Letter – County Executive Wendel – Appointment to Ethics Board
 2. Certification – Election Commissioner Certification – NYS Board of Elections
 3. Letter – Resignation – Norman Green, Chautauqua County Democratic Commissioner
 4. Report – Finance Director Crow – February 2021 Investment Report
 5. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Post Journal
 6. Affidavit of Publication – Legal Notice of Public Hearing – Re: Potential Application for 2021 Community Development Block Grant – Observer
 7. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Post Journal
 8. Affidavit of Publication – Legal Notice of Public Hearing – Re: Office of Community Renewal Grant Program Application – Observer
 9. Minutes – Conewango Watershed Commission – April 7, 2021 Meeting
 10. Report - Chautauqua County IDA & Component Units – Report on Financial Statements – For Year Ended December 31, 2020
-

COMMENDATION:

**PATRICIA BRINKMAN
DIRECTOR MENTAL HYGIENE SERVICES
By
Chairman Pierre E. Chagnon
County Executive Paul M. Wendel, Jr.**

CERTIFICATES OF RECOGNITION:

**STEVE SMOUSE
By
County Executive Paul M. Wendel, Jr.**

MIA GOOT

By

County Executive Paul M. Wendel, Jr.

JOE POLLARO

By

County Executive Paul M. Wendel, Jr.

ARDEN JOHNSON

By

County Executive Paul M. Wendel, Jr.

FENTON HISTORY CENTER

Presented By

Legislator Bill Ward

MARVIN COMMUNITY HOUSE

Presented By

Legislator Bill Ward

6:35 P.M.

PUBLIC HEARING

**REGARDING A POTENTIAL APPLICATION FOR 2021 COMMUNITY
DEVELOPMENT BLOCK GRANT TO IMPLEMENT A MICROENTERPRISE
ASSISITANCE GRANT**

Chairman Chagnon: That now brings us to our public hearing. Kathy, I believe we have proof of publication?

Clerk Tampio: Yes we do, Mr. Chairman. The affidavit of publications are listed in the communications.

Chairman Chagnon: Thank you. Kathy have we received correspondence from the public wishing to address the public hearing?

Clerk Tampio: I have not received any communications in that regard.

Chairman Chagnon: I will open the public hearing (6:56 p.m.) and again, this a public hearing regarding a potential application for 2021 community development block grant to implement a microenterprise assistance grant. Is there anyone wishing to address the public

hearing? Olivia, I'll check again, is there anyone in anyone in Chambers wishing to address the public hearing.

Ms. Ames: There is nobody in Chambers wishing to address the public hearing.

Chairman Chagnon: Thank you. O.K., one more time, anyone wishing to address the public hearing? Hearing none and seeing none, I will then close the public hearing. (6:58 p.m.)

LOCAL LAW INTRO. 1-21 – A Local Law Amending the Chautauqua County

Code of Ethics – R/C Vote: 19 Yes – UNANIMOUSLY ADOPTED

RESOLUTIONS:

RES. NO. 82-21 Confirm Appointment - Chautauqua County Ethics Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED

RES. NO. 83-21 Amend 2021 Budget Appropriations to Accommodate New Customer Billing Software for Chautauqua County Sewer Districts, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 84-21 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Dunkirk Airport, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 85-21 Authorize Acceptance of Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) Grant to Defray Operating Costs for Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 86-21 Authorize Agreement with Monroe County for Security of Inmates at the Rochester Psychiatric Center 2021-2026, by Public Safety Committee – UNANIMOUSLY ADOPTED

RES. NO. 87-21 Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 88-21 Authorizing the Submittal of a New York State Community Development Block Grant Application for Microenterprise Assistance, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 89-21 Accept Grant Funds from the Community Foundation for Greater Buffalo to Purchase Mobile Trail Counters, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 90-21 Amend Budget for County Clerk to Accommodate Digitizing of Microfilm, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

RES. NO. 91-21 Cleanup and Sale of Tax Foreclosure Property, by Administrative Services and Audit & Control Committees – R/C Vote: 19 Yes – UNANIMOUSLY ADOPTED

RES. NO. 92-21 Quit Claim Deeds, by Administrative Services and Audit & Control Committees – R/C Vote: 19 Yes – UNANIMOUSLY ADOPTED

RES. NO. 93-21 Authorize Sale of Tax Foreclosure Property in Village of Silver Creek

Chairman Chagnon: I believe there is an amendment required to this resolution. Legislator Bankski? I believe you are frozen. I believe we lost our connection there. I would ask at this point- Steve Abdella could you please read the suggested amendment and then I'll look for a motion on the amendment.

Mr. Abdella: Yes, Mr. Chairman. In number one in the Resolved clause, what would be substituted would be for "Purchaser" would be "Region Nine UAW Housing Corporation or its affiliate". Under number three in the Resolved titled "Closing" would change to "On or before March 31, 2023." That's it.

Chairman Chagnon: Thank you for that. I'm looking for a motion to amend the resolution as indicated by the County Attorney.

Legislator Scudder: I'll make that motion.

Legislator Nazzaro: Second.

(Cross-talk)

Chairman Chagnon: I'll take the motion by Legislator Scudder and the second by Legislator Nazzaro. We have a motion and a second to amend the resolution. Is there any discussion on the motion to amend the resolution? Hearing none and seeing none, all those in favor of the amendment please say aye. Opposed?

Unanimously Carried to Amend Resolution 93-21

Chairman Chagnon: Now, is there any discussion, questions comments on the resolution as amended?

Clerk Tampio: I couldn't quite hear who made the motion.

Chairman Chagnon: The motion was made by Scudder and seconded by Nazzaro.

Clerk Tampio: Thank you.

Chairman Chagnon: I'm not sure if Legislator Bankoski is back with us, I know he wanted to make a comment.

Legislator Harmon: He is here now.

Legislator Bankoski: I'm sorry, I got knocked off the meeting somehow.

Chairman Chagnon: It's O.K., we managed to get the amendments passed.

Legislator Bankoski: I just wanted to speak to the resolution briefly. The old Silver Creek School on Main Street is in drastic need of attention. I feel that this company that they're proposing to rehabilitate the building is in the best interest of both Chautauqua County and the Village of Silver Creek and for the residents.

Chairman Chagnon: Thank you Bob.

Legislator Harmon: I'd just like to echo Bob's comments and just so everybody knows, this has been a long time coming and just would love to see something happen with the building. It's been an eye sore for a lot of years and I've been here for 30 and it's just nice to hear that there's something possibly going to happen with it. That's all I have.

Chairman Chagnon: Thank you. Are there any other questions or comments on the resolution as amended?

Legislator Vanstrom: I'd just like to say I can't wait to see this project come to fruition. It will be great to have it done and address all the issues and problems it's been causing in the past. I am excited to see so much support for it among our group as well, so thank you everybody.

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

Legislator Pavlock: I have a comment, Mr. Chairman. I just want to echo everybody and also say that our County has in general quite a few dilapidated buildings and it's always great what a company shows interest in revitalizing and reutilizing some of our current structures that we have and what a great thing- the type of facility that is being suggested for this project will be needed in that community. Our population is growing (*inaudible*) we have a very large population of 65 and older. I think it will be well utilized- a very positive thing for our community.

Chairman Chagnon: Thank you, Dan. Other questions or comments or discussion on the resolution as amended? Hearing none and seeing none, will the Clerk please call the roll?

RES. NO. 93-21– R/C Vote: 19 Yes – UNANIMOUSLY ADOPTED

Clerk Tampio: I thank you from the bottom of my heart because I'm also a Silver Creek resident.

ANNOUNCEMENTS

Chairman Chagnon: Are there any announcements to be made this evening? Hearing none, we will move to the second privilege of the floor.

PRIVILEGE OF THE FLOOR

Chairman Chagnon: Kathy, was there any communication received for the second privilege of the floor?

Clerk Tampio: There are no communications received for the second privilege, however there are people in the Chambers for the second privilege of the floor.

Chairman Chagnon: O.K., Olivia, could you arrange the commentators? It looks like we have someone at the microphone. Please introduce yourself and give us your address.

Ms. Engstrom: Karen Engstrom, Mayville, New York.

Chairman Chagnon: Welcome Karen.

Ms. Engstrom: It is good to see you Mr. Chairman and Legislators. We are here tonight for the children. We can see that they are being harmed physically and that they are being harmed psychologically from wearing masks. It has been one year. 15 states have chosen to free their children. The children in those 15 states are healthy and happy and the children in our state of New York have the same rights as the children in all of those states. We are speaking for the grandparents and the parents who aren't able to come before you, who are concerned about the health and wellbeing of their children. It is time to stop forcing children to wear masks. As I said before, 15 states have done so. The children who are free are not suffering as the children have been documented in the last year who have been forced to wear a mask. Children under 18 remain the lowest risk group of all covid groups. We acknowledge the legislators of Chautauqua County and that you have been placed in a difficult position due to a growing authoritarian state. Both the elected and unelected autocrats and the bureaucrats at the state and federal level use *(inaudible)* as pawns- they use you as pawns to enforce their orders. Like us, you are expected to do what you're told or suffer the consequences. *(Inaudible)* and rigorous debate *(inaudible)* of the democratic republic are discouraged and often refused. We *(inaudible)* that in addition to the coercion put upon you from the powers in Albany and Washington, that you also face the pressure of citizens who have fallen fearfully in line with orders from above. We know that many of you agree with us that it is time to let the small children be children and that there is no

harm in doing so. We support our elected officials who would recognize that we must defend and help the children. The children are being are harmed and it is not right. Thank you.

Chairman Chagnon: Thank you, Karen. Is there someone else wishing to address the second privilege of the floor?

Ms. Ames: She is making her way down.

Chairman Chagnon: Welcome. Please introduce yourself and give us your address.

My name is Cheryl Flyler (?) and I live in Ellery. I'm just going to read this. I'm kind of nervous so please bear with me. I'm a wife, a mom, a grandma and a great-grandma. I feel I must speak for my family and for children and young people everywhere.

First of all, our bodies are designed to breath in fresh air and exhale, or get rid of, carbon dioxide. This is God's design. Insufficient oxygen get cause hypoxia, a condition in which tissues are deprived of an adequate supply of oxygen. Excessive CO2 can cause hypercapnia, which is excessive CO2 in the blood stream. I admit, I looked these up, I'm not a health expert and I don't claim to be.

It is common sense that prolonged use of masks on anyone's face can cause potential health problems, especially with our lungs. Why are we doing this to our children? The most difficult times to be wearing these for any child has to be while participating in sports and while trying to sing. I have read many articles listing physiological and psychological affects especially for kids with asthma, autism and nervous disorders, but there isn't time for that now.

Also, sneezing into a mask and having to leave it on must be pretty awful for them. Our kids are being taught great fear for a virus they are 99% or more likely to fight off with their own immune system along with vitamins and fresh air. They're being taught to fear being near to others. What is that doing to their social life? I've witnessed so much more depression and withdrawal in young people. They are also made to feel guilty or selfish if they want to go back to normal lives. I've witnessed more anxiety, headaches, fatigue and general stress in our youth. Again, what are we doing to our children, our grandkids and our great-grandkids? I'm sorry, I get a little emotional. I, for one, as an older person want our youth to get rid of the masks and allow them to get back to their normal lives. I also choose to spend whatever time I have left not living in fear, but treasuring my family including hugs from my snotty nosed great-grandkids. Please, I urge you to take action and help lead the way to move in the direction of liberating our kids. Thank you.

Chairman Chagnon: Thank you for your comments. Olivia, is there anyone else in the Chambers to speak to the second privilege of the floor?

Ms. Ames: I believe we have just one more.

Chairman Chagnon: Welcome. Please introduce yourself and give us your address.

My name Roy Harvey. I'm from Mayville and I'm a Mayville resident. I want to point out that the Nuremberg Tribunal of 1945 outlawed declaring medical treatment without informed consent. I submit to you that the public is not being allowed to be informed about the danger of

the vaccines- so called vaccines and the mainstream media is going along with this and this includes our local newspapers. I'm especially shocked at the conformity of the media to enforce the CDC and World Health Organization agenda because all of my life I've been a part of the media- television, radio, newspapers, except for ten years as an investigator with the Cook County State's Attorney's Office. As a member of the media I valued open discussion and open debate. That is now gone. We are pleased that we can at least be heard by you, our County representatives. There are many medical doctors who risk their careers in opposing this agenda, but they are frozen out of the agenda just to advocate the use of vitamin C and zinc to ensure the health in the face of Covid-19 can result in severe penalties to the medical personnel, including the loss of their careers. How can you possibly have informed consent if critique is forbidden? The makers of the vaccine will suffer no consequences because of negative outcomes. I submit that those who are essentially forcing the vaccines are using the public as guinea pigs and they are committing a crime against humanity. Thank you.

Chairman Chagnon: Thank you for your comments. Olivia, anyone else?

Ms. Ames: There is nobody else to speak to the second privilege of the floor.

Chairman Chagnon: Thank you.

MOVED by Legislator Gould, SECONDED by Legislator Scudder and duly carried the meeting was adjourned. (7:25 p.m.)

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