

Minutes

Public Facilities Committee

September 13, 2021, 4:00 p.m., Rm #331

Gerace Office Building, Mayville, NY

Livestreamed on Chautauqua County Facebook Page

Members Present: Scudder, Davis, Gould, Nazzaro

Member Absent: Hemmer

Others: Tampio, Ames, Chagnon, Dennison, Bentley, Green, Geise (via Zoom)

Vice Chairman Scudder called the meeting to order at 4:00 p.m.

Approval of Minutes (8/16/21)

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

Unanimously Carried

Privilege of the Floor

Vice Chairman Scudder: Is there anyone here to speak to the privilege of the floor?

Mr. Norman Green: I came to speak about the American Recovery Act money. I would like to start out with, I believe the system, the process was absolutely positively flawed and the reason why I'm positive that it was flawed was that we met with department heads. The money was awarded to Chautauqua County. It was awarded to Dunkirk, Fredonia, we have sewage systems in Dunkirk and Fredonia, we have sewer systems in Jamestown, yet the only sewage system we seem to talk about and we have problems in these communities. The only sewer system we talked about was the expansion of the sewer system in the North Harmony section and that expansion easily, as I have saying over the weekend to quite a few people, we're taking care of a bunch of rich people from Cleveland. I mean, that is not correct. I appreciate that, I have friends that live over in that section of North Harmony but that's is like the craziest part of this whole thing. The process did not include any type of open meetings. I went on-line, I saw that across the United States of America, (*inaudible*) quite a bit of the time. They have open forum, they had open meetings, Jamestown had some open forums and open meetings. There are people that suggest that, I'm going to try and speed this up so I have my three minutes here, they are suggesting, well, Jamestown and Dunkirk didn't need to be included. Their sewer, their water, nobody came forward and said, let's listen to you guys and see what is needed in your area to spend the County's money. It wasn't that area outside of Dunkirk, Fredonia, Jamestown. Mr.

Scudder knows Fredonia definitely has some serious issues that this money could be used. Dunkirk and Jamestown are entitlement communities. That is the argument that I heard from the County Executive. They are entitlement communities and they got millions of dollars. They are entitlement communities because why? Because we are one of the poorest County's in all of the State of New York. They are entitlement communities to address poverty but that doesn't address at all Mr. Scudder, Fredonia, and Fredonia has a serious poverty problem. That is what the United State Census Bureau told us. It has a serious problem with their water. Are we going in there and looking at Fredonia's water system and assisting them? Did we invite them? No, what we did was we (*inaudible*) department heads and you know I always look at – it's interesting and I'll conclude here because I realize I have a three minute time limit, it was interesting that the sewer for the North Chautauqua, South Chautauqua sewer managers came forward who are County employees but they are enterprise accounts. They stand no different than, just because they are government employees, just because of County employees, they stand no different than the employees of Dunkirk, Fredonia, Jamestown, where we have water and sewer plant and those people should have been listened to. This Legislature has an opportunity to start over again, you have an opportunity to start over again and you know it and I hope that you will. Thank you. Oh, I'm sorry, Norm Green, 54 Oneida Drive, Dewittville, New York, I apologize.

Mrs. Kathy Tampio, Clerk of the Chautauqua County Legislature and Administrative Coordinator of the North Chautauqua County Water District. I'm here on behalf of Brian Purol who's Chairman of the North County Industrial Water District and the Chairman of the North Chautauqua County Water District who happens to be the father of (*inaudible*), Dick Purol. I did send some information to you but the request that has come forward this early in the process, the department heads were invited to come and discuss potential projects for the ARPA funding, Brian Purol was unable to attend and since that happened, let's face it, the ball was dropped. But at this time, once we were aware of the projects that were planning to be awarded, we recognized the need that we've had for the Industrial Water District (*inaudible*) rehabilitate a 400,000 gallon water tank that serves the County's Industrial Park (*inaudible*) in the north part of the County. So they are asking to be considered in this round, probably as a Phase II of water infrastructure to the tune of \$863,000. You can see from the funding request sheet that the tank is about 45 years old (*inaudible*) particular tank has been up in the Industrial Park area and it was completely inspected inside and out in 2011 in which they had a whole slew of recommendations to rehab the tank. So this is an essential tank for the Industrial Park and some surrounding customers that spill into Sheridan as far as water pressure needed for fire suppression (*inaudible*) water flows to our industries up there, particularly Purina who uses a large amount of water on an oning basis. I don't want to take up too much more of your time with that information but if you have any questions, I would appreciate your consideration.

Legislator Nazzaro: Kathy, I read this when you sent it out. So it was inspected in 2011 and the other funding source would be through user fees, correct?

Clerk Tampio: Yes.

Legislator Nazzaro: If some other funding is not found. So what is the life expectancy of this tank? Before it has to be, not repaired but maintained, the way it's listed here. I mean, I read the plan. So what will happen? Will it continue to deteriorate and eventually not be functional?

Clerk Tampio: The repairs that were identified in the tank inspection, I mean I can't speak for it but I would expect it to be another 40 years, 30 or 40 years of use. They have to take off all the lead paint that's on the outside and repainted. The inside has to be repainted. If you know about water tanks, any pock marks, any deterioration site has to be filled. There is OSHA deficiencies as far the ladder which is deteriorated inside to the condition that has to be completely replaced. The reason this was put off by the district was when we're looking at the regional district, the North Chautauqua County Water District, Paul Snyder from the Health Department recognized that perhaps our district was going to construct a new tank and then this tank could be taken off line. But since that time, our engineers and Paul Snyder have talked about it a bit more and they would like to see that tank maintained, especially now with some issues from the City of Dunkirk water supply and (*inaudible*) tank when you can maintain it and keep it on line for many years to come is an asset to the region even though we're building a new tank in Sheridan which will also provide water pressure. (*Inaudible*)... Thank you.

Vice Chairman Scudder: Now, we'll close the privilege of the floor.

Proposed Resolution – Authorization for Agreements with New York State to Maintain Overland Trails – DPF Director – Brad Bentley

Unanimously Carried

Proposed Resolution - Amend 2021 Budget for Public Facilities Maintenance of Roads – DPF Director – Brad Bentley

Unanimously Carried

Discussion – American Rescue Plan Money Projects

Legislator Nazzaro: I request Mr. Chairman is that the minutes regarding the discussion of how we use the American Rescue Plan monies be totally transcribed. I believe I'm able to make that request, is that correct?

Vice Chairman Scudder: As the acting Chairman, alright.

Clerk Tampio: Mr. Chairman, you mean the discussion of the proposed resolution?

Legislator Nazzaro: Yes. I believe it's just as important, I know they are on line and I know they are taped but I think it's important since this is a significant amount of money that people will have the opportunity to read the minutes on this discussion?

Vice Chairman Scudder: Verbatim?

Legislator Nazzaro: Verbatim.

Vice Chairman Scudder: That sounds good. Thank you Mr. Nazzaro for making that suggesting.

Proposed Resolution – American Rescue Plan Act (ARPA) Spending Plan

Legislator Gould: Do we want to go through all of them or just Mr. Bentley?

Vice Chairman Scudder: Mr. Bentley's. I'm not sure if he can speak to much to some of the other ones. Not that he can't, I didn't mean that.

Mr. Bentley: I know of them and can probably speak to the high level to questions of most of these.

Legislator Gould: First one is the Ag Building upgrade.

Mr. Bentley: So that as I mentioned at the special legislative session. We had an outside consultant do an architectural (*inaudible*) level study of what it takes to bring the Ag Center building back to a state where we could have county offices in that building. There has good (*inaudible*) but it's in need of some pretty good TLC, not only on the inside of the building but outside the building, interior/exterior. We project those costs to be about \$1.1-1.2 million dollars. The architect threw in some what I would call, nice to do's, but I think we can get by with a little bit less and still use that space in a very appropriate fashion. So, it's about 12,000 square feet of space so there is a large (*inaudible*) area. (*Inaudible*) walk through a couple of different groups. We believe we can fit a group in there pretty readily. We'll go through more specifically as we go down the road but certainly this is a space that could be immediately used and eventually it would offset some currently leased space. Eventually leased space would be reduced by 12,000 square feet or thereabouts. So there would be savings to the County down the road when those leases would expire. There are a couple of leases that expire this year (*inaudible*) but those could be renewed for one year or a month to month term while we do the upgrades. I think the upgrades could probably be done by the middle of next year. Some of them are the cooling, some of the interior carpet, heating, also some exterior work on the outside of the building. (*Inaudible*) entryways, the roof is in fairly decent shape but gutters need some work. So, we can do some of the work ourselves with crew availabilities for the winter. Doing some of the demo, carpet rip out stuff like that so there would be opportunities for us to save money by doing some of the work ourselves as well.

Vice Chairman Scudder: So our target would be groups that are leasing non-County now, bringing them into a County facility to lease.

Mr. Bentley: Yeah and that may not be directly, it might be indirectly. Like one group was here to here and another group (*inaudible*) in one of the other spaces. Again, that's still to be determined. There is a lot of department logistics that would need to go into that as well as who can extend their lease and who can't. So there's some things that need to be answered to get to those answers but it's not that we're lacking people to move in there. It's not a build it they will come scenario. It's they're there, it's picking which (*inaudible*) is most appropriate.

Legislator Gould: Do we vote on these?

Vice Chairman Scudder: I believe we're going to vote on the whole resolution? We're just going to have discussions and explanations for the ones that are under (*inaudible*)...

Legislator Nazzaro: At the meeting last week, I did ask a question of Brad to provide approximately estimated what (*inaudible*) these savings would be and after the meeting he did share some information with me but I think for the good of the committee, these are not exact numbers. I know there is a lot of moving parts but I just want to be comfortable that we're truly going to be saving expense, lease expense over the years versus what it is going to cost to do this.

Mr. Bentley: So I'm going to give you some round numbers and just my level examples of what goes into a lease because different leases have different attributes. Some are just floor space, some include cleaning costs, some include maintenance costs, some include parking, some include snow removal so I'm just saying that it would save "x" dollars per square foot. Depends on how the lease was written. Some leases include those things, some leases exclude those things and there are add on's. So round numbers, some of our highest cost leases are in the neighborhood of \$20.00 a square foot. Some of our lower costs leases are in the neighborhood of \$10 to \$12.00. Significant amount of money can be saved by taking some parts of those organizations, some groups lease up to 20,000 square feet or more. So, we're not going to be able to accommodate all the lease space. There will still be a significant number of groups out there leasing space. Some of that is required to have customer basing parts of those organizations in the general parts of the communities so even if I had space available here, they would need to be where they are at. This building is not going to be the place where everybody goes. This is just an opportunity to use a building that's currently not used. We own it. It was vacated long ago when the USDA pretty much decided to move out. Cornell Cooperative was kind of being subsidized by USDA for rent so they are in their (*inaudible*) prices. The building really was falling in the state of disrepair anyways so the interest of Cornell, they made a very wise move to move to JCC. I think there is (*inaudible*) partnerships (*inaudible*).. building that we own. It's still not out of the Airport Master Plan so technically I can't sell it yet but that didn't prohibit us from working with the IDA and Mark but we tried to see if there was any interest in the building, (*inaudible*).. so that would be just about giving away the building. As we see, it would take some investment to get this up into something that would be useful space. I'm a good proponent of investing in the things that we own and using it to decrease our other costs. I think there are multiple wins here for opportunities for the County. Cost question, how much more detail do you

want? I don't know how much detail you want. Square footage, you do the math, \$20.00 a square foot times 12,000 –

Legislator Nazzaro: Twelve thousand times (*inaudible*).

Mr. Bentley: Two hundred forty thousand so it's kind of roundish numbers.

Legislator Nazzaro: I just have to ask and I'm not proposing this by any means but it's a 12,000 square foot building, what would it cost to build a new building that size?

Mr. Bentley: I've been asked that question a lot lately so I've thought through this. It's not just the building costs itself, it's the site acquisition. It's the utilities to get it there, it's the electric, water, sewer, parking lot, infrastructure, so those are not typically included in your per square foot charges. If you just (*inaudible*) building, I don't know that that is a fair –

Legislator Nazzaro: I guess what I am asking is you already have infrastructure out there, water, sewer, so, I'm just curious, if we were to build on that same site, tear that things down and build another building, what would it costs?

(*Cross talk*)...

Legislator Gould: We had this discussion a long time ago.

Legislator Nazzaro: Was it \$2 million?

Legislator Gould: Yes, roughly.

Mr. Bentley: Mark is back there, he has an answer.

Mr. Geise: It's probably around \$200 a square foot or more. Between \$150 and \$200 per square foot for that kind of facility, ball park.

Legislator Nazzaro: And I just want to make sure the building is worth putting \$1.1 million in. It was built in –

Mr. Bentley: I think it was 1972, 78'?

Legislator Gould: 1975, in and around there.

Legislator Nazzaro: That was the reason I was asking Brad. Just because it's an older building, is it worth putting that money into it?

Mr. Bentley: The original construction costs I believe were about \$1.1 (*inaudible*).

Legislator Nazzaro: That included running all the sewer and infrastructure.

Mr. Bentley: I do believe that includes some of that.

Legislator Nazzaro: So you are saying we're going to save, at a minimum, at least \$20,000 a year in lease expense by doing this?

Mr. Bentley: I would think so.

Legislator Davis: So your cost pay back would be 5 years roughly. A little over 5 years.

Mr. Bentley: That's what I am thinking is that we're in that neighborhood.

Legislator Nazzaro: That was my question because there is a need, based on what you showed me after the meeting, for some of these things to be relocated.

Mr. Bentley: Yeah, I think as far as round numbers, who, which lease (*inaudible*), I think that two hundred per year, five year, kind of timeframe is conservative enough to make a decision based on (*inaudible*)....

Legislator Gould: HVAC/indoor quality improvements for County own properties.

Vice Chairman Scudder: Project number 8.

Mr. Bentley: This request actually, (*inaudible*) \$1.3 million and really what that was for was to replace the two chillers that serve the HRC/GOB Courthouse and Jail. Chillers were actually oversized when they were put in. Not sure why but they were. They are outdated. The created maintenance for that, it's not just the chillers, it's the controllers. I don't know if you guys remember the Legislative meeting where we all roasted in there. That was the outcome of one of our controllers failing and we're still working on it. Because right now you either have hot or cold. You need the chillers to (*inaudible*) the heat so it's either on or off. So we're having a hard time getting parts but that's one portion of it. The chillers are about \$780,000 of it and the controllers are about \$26,000, but we also included some indoor air quality units. That would be kind of more (*inaudible*) and the (*inaudible*) filters on them, I don't know if you guys heard that, for COVID, basically filter out more of the particles. We found some units that can be retrofitted into the existing building and provide more local control and a little bit better filtering of the air. As we know with COVID, that is a big deal, especially for the courts. Basically they cost about \$5,900 each and we're looking at about 83 units for a full cost of \$490,000.

Vice Chairman Scudder: Is that like one of every room?

Mr. Bentley: It might be a couple per –

Vice Chairman Scudder: Are these ceiling units?

Mr. Bentley: Yes. So basically like (*inaudible*) you would kind of hear the AC running. I think more for the dropdown ceilings especially if you go to the 2nd floor. You have more of (*inaudible*) handling with floor space than you do on the side. So, those units could be put it, retrofitted in. Again, what we looked at was, as Mark said, (*inaudible*) they wanted to this one got dialed back to six forty. We can put in the balance of this for a capital project funding for the rest so it's not saying six forty (*inaudible*). We can do part of it with this, part of it with a capital project.

Legislator Gould: That was my next question, what happens if you don't get it all? Can some of it come out of capital?

Mr. Bentley: Yes.

Legislator Gould: The next one I have is purchase of a 60 ton crane.

Mr. Bentley: Right now we have a 60 ton crane. It's a 1970's (*inaudible*) crane which is, I'm trying to figure out a good way to make the analogy (*inaudible*). How many people here have kids that can drive a stick shift car? All of them?

Legislator Gould: Most of them. I grew up on a farm.

Vice Chairman Scudder: I have one out of the three.

Mr. Bentley: I have zero for two. I've lost a lot of my older experience guys that work on the crane due to retirement.

Legislator Gould: Is it a cable crane?

Mr. Bentley: Yes, it's (*inaudible*), it's very difficult to manage, it's a safety issue at the end of the day. I have kids that can't drive a stick shift plow truck, right and for that matter, I don't want them to because they are handling a wing plow, front plow, they are handling driving conditions that aren't –

Vice Chairman Scudder: Put it in drive.

Mr. Bentley: Put it in drive and go. They are handling the salt rate, they are handling their speed, they are handling acceleration and braking, I don't want them to shift. The less they have to, to make them safe in their jobs, the better I am. The same thing goes with this crane. It's passed its useful life, I don't have the experience to use it anymore. I have a good lead on a hydraulic crane. This is a very much easier to use and easier to understand. Easier to get training and certified. A 60 ton crane won't do everything, won't do all the big stuff. We'll still have to

call in for placing huge precast beams, we'll still have to call those guys but what happens with those, we get them, they are on site for a day and they are out. The type of work that we have here with a 60 ton crane, we're driving piles, we're moving little bits of equipment left and right so you don't want to have to (*inaudible*)... You may not even have access to these guys because they might not even be available. If we need them for two weeks, we may not be able to get them. We're actually falling behind on our bridge work and someone asked me what was the cost to rent one of these cranes? I said at the time it was about \$10-\$20,000 a week. It's a little bit more complicated than that because it's not just the crane rental, it's the operator rental, it's the trucks to get it there, it's the trailers to get it there and the power weights, all those things cost money. Having this on our ability to do it, having it useful, I think it will save us about \$10-\$20,000 and we're asking for \$650,000 for this. Even if I have it out in the field for 8 or 9 weeks, \$10-\$20,000, that's \$90 to \$180,000, again my pay back on this is in the 4 to 5 year timeframe.

Legislator Davis: What happens to the old crane?

Mr. Bentley: We would auction it off.

Legislator Davis: So some money could also be applied, I don't know how much a 60 ton, year 1975 crane goes for in the market these days but, something I assume.

Mr. Bentley: It might be scrap.

Legislator Nazzaro: How many operators do you have now that are certified to operate a crane?

Mr. Bentley: I have one. He actually just came back from the airport. He might be willing to help out with this. Obviously it goes by most senior qualified to go on equipment. So if I actually get this piece he might jump on it so I do have one guy that still on certified. But the sooner I get it the better because he might be willing to train some of the kids.

Legislator Nazzaro: That leads to the second part of my question. If this is approved, obviously you have to have operators so, so how many operators do you feel you need to have certified to be comfortable?

Mr. Bentley: Technically one but I would love to have more.

Legislator Nazzaro: Two or three?

Mr. Bentley: Yes. I mean if I can. It just a matter of – the training is not cheap but if we're going to have someone on site or (*inaudible*) send someone to Florida to get trained.

Legislator Nazzaro: I remember a couple of years ago or something we were going to do some kind of training.

Mr. Bentley: I did and COVID kind of reshuffled the decks at that point. As we know. COVID interrupted a lot of training functions that got either delayed or deferred or just cancelled outright.

Legislator Nazzaro: You bumped up somebody up to crane – or somebody bid on it that they were going to be trained.

Mr. Bentley: We did a little bit of in-house but the grants (*inaudible*) never came to fruition. We had the furlough, the highway stopped for two months there so there was a lot of things that interrupted our plans. I would say this is – if we are going to be in the business of maintain our 308 bridges, this is a vital piece of equipment to do it with and if we don't, we going to continue to shovel out large sums of money and be at the mercy of the contractors because they'll show up when they want to show up.

Vice Chairman Scudder: Will we get 10 years out of this crane?

Mr. Bentley: I suspect so. We've got 50 years out of this one so the one that we have our eyes on, it's one that is actually out doing a job right now for us. So, we're knowledgeable of how it works, what it looks like and its reliability. If anything, this is one of the things that I'll be pulling forward pretty fast because I don't want it to slip through our hands. (*Inaudible*) willing to work with us, I feel we have a pretty good (*inaudible*).....

Legislator Gould: Next item I have is purchase two new dump/plow trucks, number 15.

Mr. Bentley: As I stated last week, I actually have 13 plow trucks that are greater than 10 years old. Ten years is kind of the prescribed life of plow trucks especially when we use it for – we don't use it just for plowing, it we use it year round. Hauls our asphalt, gravel, does the salt, does the plowing, so these things are used every day. We maintain them but they – we put them through (*inaudible*). When they get towards the 8 or 9 year mark, we're starting to see, especially the bad ones, you are looking at transmissions, possible an engine, (*inaudible*) those are some mighty big costs to get (*inaudible*) but also the rust and wear and tear on them. We can weld things together more than you usually have to, salt is the enemy of plow trucks.

(*Cross talk*).....

Vice Chairman Scudder: Are all our trucks automatic?

Mr. Bentley: Just about. We still have a handful of –

Vice Chairman Scudder: That are being used.

Mr. Bentley: That are being used. The really automatic feature came along probably 5 years ago. I don't even know if you can order them with a stick shift now a days. We do order all of our trucks with Cumming engines so we support local (*inaudible*) allow us to, we take advantage of that. I would like to replace more trucks but I understand that you can't get everything you want so I'm just identifying the need. Even if you are on a 10 year cycle, I have (*inaudible*) trucks that are in use, a standard with about three or four spares. So even if I replace 3 per year, I'm looking at 11 years. I'm off cycle, way out of balance here. So two trucks will not get me back in balance. I would probably need about 5 or 6 per year to catch up. I don't believe that we should buy all 13 in one year because then you create a lump 10 years from now. Spacing it out would be a good plan to get us back to where I'd feel good about our maintenance cost not being continually high. We're going to be on a cycle – interestingly enough, I did look at the data for the next 3 or 4 years. So, 14', 15', 16', there were not a lot of plow trucks bought so I'm kind of dealing with a little bit of a problem you guys are trying not put in, which is they were kind of all bought at the same time. So buying those over the next couple of years, I think we're going to be (*inaudible*) the line a little bit more if we can do that. The ideal would be to buy about 3 per year and that (*inaudible*) generally cost about \$250,000 depending on what options you put on them, so you are talking about three quarters of a million dollars every year. I think that is what you should be aiming for as far as trying to get how many trucks out there. Maybe one year you get four, I don't know, just to try and catch up, the extra one. But I think that would be where I would try and aim this thing towards.

Legislator Davis: So the question is, would you be hitting us again at year two?

Mr. Bentley: Yes and like we talked about, there might be money that comes back. All this of this may not get spent as planned and there may be opportunities to insert another year's worth of projects in there. Certainly, I will be here and available for (*inaudible*) money should it become available Certainly I'll make my pitch and describe the problem that I have a need of 13 on a ten year (*inaudible*)....

Vice Chairman Scudder: O.k., what's next Jay?

Legislator Gould: Purchase 1 new snow blower, number 16.

Mr. Bentley: This is an interesting piece of equipment. I think someone had asked me, how many do I have. I have three of them. One of them is a 1962, another one is a 1988 or 82', and I own a 2003. Then they asked me if they run? I don't know. We haven't used them in a long, long time. I might be able to start them, I don't know if they would last. If you are going to go and put these things in use, how far down the road I get before it breaks apart or a piece, it could last a mile or could last a tenth of a mile. These things are old, frail, we maintain them but it's a time where you need them is the time you wish they worked. Because what are these for? They are basically a big machine that has a – if you have a snow blower that you walk behind, it's got a big huge snow rotating snow blower piece in the front. You want to be able to use that when you get more snow than you can plow because at a certain point, even the trucks won't

(inaudible). You know, we get snow here, maybe we haven't had it in a while but certainly up at the airport, they have snow up there and they have to blow it a long distance. They are trying *(inaudible)* so I'd like to replace the 1962 version with some of these funds. Mr. Nazzaro you asked me the question which would I rather have? I said, well, I'm a doer so short-term I want the plow trucks, but I would be remiss of my duties of planning for some of these emergencies that could happen by not doing something in the long term. If I sacrifice the short-term for the long-term, the day will come where I will regret that decision. So the real answer is, I would like both but, *(cross talk)*...

Vice Chairman Scudder: I can speak to, the year was 1981, January, I lived in West Valley, New York, lived up on Felton Hill Road, had a one month old baby in the house, just heated with wood and a storm came in on a Sunday and Lori would – I would go outside and how are things? Fine, fine, fine, I didn't tell her that there was 13 feet of snow that had plugged the road. We were snowed in. Monday night the County came, Cattaraugus County, and it took them about an hour to clear 150 feet, 13 feet deep, which was our path to civilization and I told her afterwards of course, so why tell her in the heat of the battle, and if I remember, I'll bring you a picture of where I'm standing with my arm up and I'm still 5 feet short of the top of the bank. So it is one of those items that you only need it when you need it but when you need it there is nothing else that's going to get you through. That's just my little perspective on that.

Legislator Nazzaro: We did have a discussion on this Brad and I, and I understood the 1962 or 1963 it says here it old, can't get parts, pretty much not usable, let's put it that way but you did say you have that 1984, I believe –

Mr. Bentley: It's 84' or 83'.

Legislator Nazzaro: Give or take right, 2003, give or take, the comment you made, you said, I'm not sure if they work.

Mr. Bentley: When was the last major storm where we had to use them? Is it three and a half years that I've been here? I don't think that we've had to use them.

Legislator Nazzaro: You don't fire them up?

Mr. Bentley: We do fire them up.

Legislator Nazzaro: So you do fire them up and they do –

Mr. Bentley: We do maintain them just like everything else. It's like your – if you have a rider mower, you might keep your manual mower over to the side. You might maintain it once in a while but after it sits there for 10 years, are you really sure the wiring hasn't been eaten away, is it really going to last you if you try and put out there.

Legislator Nazzaro: Have they been used since you've been Director?

Mr. Bentley: Not that I'm aware, not in any large capacity.

Legislator Nazzaro: I probably won't do it here but I'm not in favor of this. The reason I say that, not because the Audit & Control Committee is any more important than this committee it's just that I feel \$810,000 is a lot of money for a snow blower that yes, I agree with Mr. Scudder, it's like in an emergency you have it but you do have two of them that are much newer than the 63'. Plus, each airport has one which I know they are not quite adaptable but the airport has a brand new one if I remember.

Mr. Bentley: Which remember, the airport comes first, so they will out be doing runways before they (*inaudible*)..

Legislator Nazzaro: I would rather see that money to this committee used for possibly other things such as possibly infrastructure for economic development. We have some items in here for economic development. Mark Geise, I don't know if he left or stayed, there he is, but I don't know if you want that discussion here but Mark, I'm talking about the snow blower, \$810,000, I'm just saying at this point, I'm not in favor of using \$810,000 for that. I'd rather see it used for something more widespread in the County such as, I'm just throwing that out, possibly infrastructure of economic development, even possibly looking at some additional cuts from you or also possibly giving more back to the occupancy tax that we lost. We lost a significant amount so where that discussion should take place, I'm not quite sure. I just want this committee to know that since I serve on both committees, I'm not in favor of using \$810,000.

Vice Chairman Scudder: That brings up a question of procedure. So if someone is not in favor of – let's say Chuck is not in favor of this, it looks to me that we're going to vote on the whole resolution, does he just vote no because of one item or do we just keep passing this along to Audit & Control.

Deputy Clerk Ames: It's going to go to Audit & Control even if it fails in this committee. It's already prefiled.

Vice Chairman Scudder: So really when we look at this it's either an all up or an all down?

Legislator Nazzaro: And I'll probably vote yes to move it out of this committee because I was part of the group that met.

Vice Chairman Scudder: But I was thinking about this earlier if someone did have an issue with one item –

Chairman Chagnon: Mr. Chairman, you can propose an amendment to the resolution in this committee.

Vice Chairman Scudder: I appreciate that but we don't know to just remove it because what Chuck and this isn't a knock or anything, I don't want to see this spent but I would be o.k. seeing it spent on something else. That's a tough amendment.

Legislator Nazzaro: I think the question Mr. Chairman that I have is, the \$810,000 possibly a portion of it would stay within the Public Facilities family, whether it be for trucks or something else. But then what I'm thinking is a portion would be taken and used either for infrastructure and I would want Mark Geise's input, whether it be used for infrastructure or to buy more land for economic development. Because when Mark spoke the other night, the cost per acre is \$10,000 to \$20,000 per acre and we need to have economic sites, shovel ready sites, I hate to use that term but that's what they call it, shovel ready sites, you have two parts to that. The land and then the infrastructure but also, being part of the committee (*inaudible*) about what we gave back for the 2% and 3%. We also had something come before us that Kathy Tampio presented, so, my question Mr. Chairman is, since this is Public Facilities, my understanding is that this committee, either we're voting on the entire resolution, is really focusing on what your projects are Brad.

Vice Chairman Scudder: That's true but that leads us down another road also. Let's say we do amend it –

Clerk Tampio: Mr. Chairman, you could also consider a motion to make a recommendation with the Audit & Control Committee which is the last committee to review this resolution (*inaudible*) somehow wording it that consider removal of that particular thing and suggest other possible funding – you could still vote on the resolution as it exists now but a separate motion – do you know Jay?

Legislator Gould: I can't because we haven't discussed the whole resolution. We're only discussion what comes before this committee and we're being asked to vote on the whole resolution whether we've discussed it or not.

Chairman Chagnon: That's why it's just a discussion. You don't have to vote on the resolution.

Vice Chairman Scudder: The other interesting part is, let's just have a brief moment of fun. So we decide to buy another truck which leaves us \$500,000 and then Chuck want's to, you want to put it towards the occupancy tax. So here we're settled with buying another truck and then I don't think that it should go to the occupancy tax so it goes into – it puts it into another – I mean, I'm happy with all of these, then Chuck's not, and then Chuck wants it moved and then I'm not happy and I realize we have meetings and we do everything, my question is, what would happen if this wasn't all settled for this month's meeting? I could see where maybe - because

I've already had discussions with some Legislators that were concerned about project 42 and 43. There has been some question about these 41, o.k., but what about 42, 43, 44, and I think we have the right to say, no, I don't want to remodel the Print Shop because I heard that number 42 was something that I was more in favor of. Does that make sense? I can just see this turning into not as easy as the format that I'm seeing in front of me.

Legislator Nazzaro: It's a real good point, Bob. I sort of equate this to the budget process a little bit. You know the budget process has a set deadline in the financial. We have to have a budget passed by December, I think. Because when we do the budget, each committee goes through the week of budget hearings and each committee will make recommendations but then Audit & Control at the end will make the final recommendation to the full Legislature and then the full Legislature can continue to make amendments on the floor, if they so choose. So, I just want it for transparency because I sit on this committee that I don't want anyone to say, well, why didn't Chuck say something in this committee meeting. I'm just saying, I'm going to make an amendment in Audit & Control. Not quite sure yet what that amendment will be to use this \$810,000 for something, in my opinion, that would give you a bigger bang for the buck than buying a blower that has very limited use because we haven't used the current blowers in the last three or four years at a minimum and we do have two. I'm just bringing that up.

Vice Chairman Scudder: And my thought is, not just on a blower, it's 41 possible discussions.

Legislator Nazzaro: So if this committee Bob, -

Vice Chairman Scudder: But if we don't have to vote on the resolution then it's just being a discussion -

Legislator Nazzaro: Unless this committee wants to specifically make a recommendation to say let's take the \$810,000 out -

Mr. Bentley: Before you go there -

Legislator Nazzaro: No wait, I'm just framing it up and you want to put it into four new trucks or whatever else, we can do that. That's a recommendation that will go to Audit & Control. Is that correct?

Clerk Tampio: I would think that you could pass it on with a recommendation. That would be your motion.

Mr. Bentley: I'll bring up one other complicating factor. I'm hearing from Chuck, not saying (*inaudible*) you guys have independent thoughts and decisions in front of you. These projects were divvied up between the capital projects and here, the (*inaudible*) funds. So if the snow blower was removed from the capital projects because it was (*inaudible*) fund here. If it

gets taken out of here, I now no longer have any way of getting that snow blower which in my (*inaudible*) I would have listed it if I didn't think it was, in my opinion, something that was needed.

Legislator Nazzaro: Where did it rank in the priorities?

Mr. Bentley: It always ranks low because it's a high cost item. That's why I'm saying, I'll continue to suffer until we have no – let me say, in 88', if not (*inaudible*), that's still 30 years, way beyond its life expectancy.

Legislator Gould: Chuck can talk about that because he lives in the city where there is well plowed roads. In 78', I lived where I live now and there was a blizzard on a town road. Well, you were up in that neighborhood just (*cross talk*).. The County blower came up and blew us out after a week. The Town's high lift sat in the middle of the road with a bucket up in the air. We could barely see it through the snow and the County's blower saved us. So unless you have been saved by one, you know we don't need them.

Mr. Bentley: And those that live outside the city limits, there is a vast majority of people that do. Up on the hills of Chautauqua County, because you don't get the snow here, it snows in the other parts, it gets drifted -

Legislator Davis: I think drifting is the bigger concern in my mind.

Legislator Gould: I didn't mean to pick on you Chuck.

Legislator Nazzaro: No, I'm just saying, the other thought on this, I mean just to frame this up and was mentioned by the County Executive, by Mark and by others, we have what, over \$8 million in here for the sewer. The sewer around the lake, the second phase there. And if we get infrastructure money which we probably are, I don't think we know how much, that funding source for the sewer, out of these funds, ARPA, will go down most likely because they have \$8 million in there. So I'm just saying, this plan is for the entire \$24 million, right Mark?

Mr. Geise: Yes.

Legislator Nazzaro: But then if we get infrastructure money Mark and the Legislature decides to use that for Phase II, then that is going to free up money for maybe some of these other projects that weren't funded now. Is that correct?

Mr. Geise: Yes, that is correct. So it's like that \$8.4 million possible for the sewer, maybe even the sewer and water for shovel ready sites, maybe broadband, so yeah, it could free up at least \$8 million.

Mrs. Dennison: The snow blower was ranked number 36 out of 47 projects.

Mr. Bentley: But then it was removed (*inaudible*).

Mrs. Dennison: Moved from?

Mr. Bentley: The capital budget, it was not funded.

Legislator Nazzaro: It was not removed.

Mrs. Dennison: It is recommended for funding in the 2022 capital plan but funding was (*inaudible*)....

Mr. Bentley: And it was removed, there was (*inaudible*)...

Vice Chairman Scudder: It was recommended here.

Legislator Nazzaro: It was 36.

Vice Chairman Scudder: And with these funds.

Mrs. Dennison: The Capital Project Funding committee recommended it for funding, recommended it for funding with the Federal ARPA, not local dollars.

Legislator Davis: What's boggling my mind, if it was recommended as number 35, are the 35 projects in the Capital Plan that we're ahead of this snow blower, are they being funded at this point? Because if they are not, then, you start questioning if that \$810,000 should be used there or if it should be used in some of those other 1 through 35 projects that technically are ahead of that snow blower? That's how my brain is working.

Mr. Bentley: Some of them can't because (*inaudible*)...

Mrs. Dennison: Yeah, not all of the 36 projects ahead were recommended for funding at any level. Some were declined.

Legislator Davis: So there (*cross talk*) my dilemma.

(*Cross talk*)...

Vice Chairman Scudder: I understand what you are saying. I wish I didn't because now that just expands my thought process. O.k., Jay.

Legislator Gould: Now we're at, purchase long arm excavator, number 17.

Mr. Bentley: Does that mean the discussion on 16 is over? This is something that the County Executive and I have been talking about. We routinely get requests, I say routinely, get request to help out municipalities with ice jams, on bridges, roads, floods, we've seen a lot of more it and our existing excavator can only reach so far. Pulling stuff out of Burtis Bay, being asked to help with Bemus Creek, Dewittville Creek, we can only get so far. So having a long arm excavator will increase our reach and we'll be able to do a little bit more and get out there were we have some issues.

Vice Chairman Scudder: How much more reach do you get?

Mr. Bentley: Depends on what you are pulling up? Obviously it's all on counterweight. I would say probably an extra 10 feet or so. (*Inaudible*) how large an excavator we got but it all depends on leverage and how you are placed (*inaudible*)... But that could make a difference between pulling out the log that's jammed up or not because sometimes the only way to reach down over something is from the bridge. You can't actually get around there with an excavator. You physically can't there without (*inaudible*).... The quote is \$400,000, we'd be able to use that. I wouldn't put it replacing an existing excavator because you also need the small ones to get it in place to where you can't take the big one. So it's one of those ying and yang things. Probably want something bigger but when you are trying to get in behind the apartments in Burtis Bay, you don't want to be putting a big huge thing too far over there because it will crack the break wall.

Legislator Gould: How much to smaller ones costs?

Mr. Bentley: Two seventy five, three twenty five.

Legislator Gould: That's what I thought, \$300,000.

Mr. Bentley: Somewhere around there.

Legislator Gould: Now we're going to go to the airport, your favorite subject. Air Service Development Study, number 18.

Vice Chairman Scudder: Nothing like a good study.

Mr. Bentley: I don't know if I could put the words that Ron so eloquently put last time. I probably will be a detriment, so this is an air service study to look at central air service. We have consultants all lined up. They have the expertise to kind of give us the data. It's obviously not a very expensive study of \$72,000. It's going to give you some basics but I think it's something that a lot of people have asked questions about and I don't (*inaudible*)... those questions. Ron could probably give this more justice than I ever can.

Mr. Geise: Can I add something Mr. Chairman?

Vice Chairman Scudder: Sure.

Mr. Geise: Just real quick. The last couple of years when we applied for, to reestablish essential air service, the Department of Transportation has said, basically, you can't use anecdotal information to make your case about the demand for such a service. You really need to go out and do a real study and determine what is the market for this. You can't make numbers up. So that is what this is going to do. It's really going to look at the market, look at the need for the service and then make a case one way or another. I mean, it could come back that it wouldn't warrant essential air service. We don't think that will be the case but the DOT needs that information and real information to base their decision on and that is what this will do.

Vice Chairman Scudder: It peaked my interest. Number one it's local share paying for the study and then the last sentence in the project description, if study determines that air service is not economic viable and I'm not rooting for that if anybody thinks I am, that conclusion will be used to reevaluate the airports mission and operational profile. So hopefully, I've always struggled with what are we doing? So we don't know if this is truly independent and I'm not making any accusations but hopefully it will come back and say, go for it or cut bait. So, that's my enthusiastic part.

Mr. Bentley: I'll just put my take on it, that \$72,000 (*inaudible*) an airport is making money or losing money, (*inaudible*). It will tell you about the essential air service but it's not going to tell you about the hangar rents, it's not going to tell you about the reliance that businesses have on the airports for bringing in parts, bringing in customers. It's not going to give you the information on tourism that is going to the Institution and the Comedy Center. It's not going to give you any of that stuff. That \$72,000 will not do that. So, hopefully whatever the outcome of this study is, it doesn't get overreached into conclusions that it really shouldn't.

Vice Chairman Scudder: But isn't the purpose of this study for commercial passengers service? It's not an overall – I mean, will involve the overall airport operations but isn't it a study for –

Mr. Bentley: For travel, commercial and tourism but it's not taking into account the private sector. The private jets, the fuel (*inaudible- cross talk*)..

Vice Chairman Scudder: So if this isn't going to tell us anything, should we not do it?

Mr. Bentley: I think it's going to tell us what Mark said it's going to tell us. If we're going to have an essential air service, you need to study and if you don't have it, you just can't conjecture that you are not going to pass go. So in a way, it will get you an answer to the essential air service question. My point was, don't let it overreach into the other areas that this study was not intended for.

Legislator Nazzaro: It's not a business plan.

Vice Chairman Scudder: It's not but this would help me - it would help my small thinking part to know if we put that part to bed or if we're still going with it, that's going to help me in my decision to move forward.

Mr. Bentley: You (*inaudible*) Scudder airlines and wanted to - for essential air service, this would help you determine whether that airline would be profitable or –

Vice Chairman Scudder: So who are we doing the study for, us or for somebody that wants to do the essential air service?

Mr. Bentley: Both.

Legislator Nazzaro: I'm against this. I support the airports for private which includes the industrial sector, charter service, so I'm in favor of maintaining the airports, both Dunkirk and Jamestown. I have visited both, multiple times and there is a lot of activity there. We have a good FBO now. I think things are moving in the right direction but I think we have to be realistic here. I've been around a long time, not only in life but on the Legislature. You've done a couple of studies, one when I have been on this Legislature, I actually co-chaired a committee that did a study on this in 2008 and essential air service, it would be a great thing to have here, it would be great thing to have commercial and I think this is one last hope or dream to have commercial service. When you look at the statistics over the years, the last time we had less than 10 people a day flying out – I think it was –

Vice Chairman Scudder: Six point one.

Legislator Nazzaro: Six point one and I think it's a waste of governmental money to provide essential air service here.

Vice Chairman Scudder: It's not only our money, it's Federal money.

Legislator Nazzaro: So I would rather focus our plan at the airport to do what we are doing now, developing the private charter service, using the hangar space, serving the industry here. I just think that even if this comes back and says, there's hope, it doesn't mean we're going to get essential air service, or, let's say we are granted essential air service based on our track record, this is not anyone here, it's the airlines that come in. they make a lot of promises, I remember I went up to the airport, they had a nice reception and they put on their suits and happy faces and the thing was a disaster. They couldn't provide pilots and so you have to realize too where we are. The reliability due to the weather, so I'm just not for it. I'm for the airport but I'm not for this.

Mr. Geise: Can I just make a comment real quick?

Vice Chairman Scudder: Sure can.

Mr. Geise: You know, a part of the reason why it didn't work before, at least part of it was because of who we chose for the essential air service to provide that service. I mean, they just were not good. I think if we had a really class carrier, I think you'd have a different story and certainly the information that we get from this study will help to support that. One way or another, right? It's going to come back that yeah, we have the market here and then that would be used to attract a quality carrier or it's going to come back no, you don't have the market here and then we can put this thing to rest. I mean, there is a lot that – Ron has done a lot of work to get us to this point and he feels and he's the expert here, I wish he was here because he could make a much better case than Brad or I can do but, that this is really needed and for the amount of money we're talking about spending here, I think it's a good thing to undertake. I really do.

Vice Chairman Scudder: If this air service hasn't worked for the last, well, it hasn't worked for a long time, why is it going to work going forward?

Mr. Geise: Well, when they cancelled flights, people show up, the air carrier cancelled flights, they weren't on time, it was not a quality carrier. The word gets out pretty quickly that, you know what, don't even buy a ticket because you know what, they might not even have a flight. It didn't take long for that to happen with this last carrier. So, I feel like if you got a quality carrier in and it might be Luscombe, somebody like that, that's shown that they can turn around communities or somebody like that, to make it successful, I think there is a – I mean, I don't know for sure, obviously the study will tell us, but, I think there is a need for it. We're seeing what's going on with these companies that are coming in and flying in and a lot of time they are using private but if they had a public resource to be able to fly in and out, I think that would make a big difference. I didn't answer your question very well.

Vice Chairman Scudder: So if we hire one of these air carriers, is there any way for us to make them meet their obligations or do they just run the show? I mean, they cancel a flight on Thursday morning and we just go, "oh well"?

Mr. Geise: I don't know the answer. I don't know what the recourse is for that Bob, I wish I did. I don't know the answer to that. I would think we would, but, I don't know the answer.

Mr. Bentley: So the incentive is, they have business assets in play that unless they are willing to sacrifice those assets, they are incentivized to do the right thing. The stories that I heard from Ron and I can share some of them. The previous carrier would schedule times that were incongruent with the flight schedule at other airports so it was not convenient. At the time, there was severe pilot shortage and so they took all pilots out of Jamestown and took them to their other airports and really just sacrificed this part. They still collected the subsidy for those flights. It was just going to be the one they sacrificed (*inaudible*) the rest of their assets. So I think if you get the right carrier in here that has the right motivations – there is demand. I'm not going to say there is zero demand for commercial air service.

Mr. Geise: And the right destinations.

Mr. Bentley: So if you put enough of the right things together, it's not zero. Now the question is – all of essential air service is subsidized, (*inaudible*) at any route (*inaudible*) point of it is to promote transportation of goods and services (*inaudible*) is all subsidized. It doesn't matter if you are a large airport or a small airport, all of it or part of it is subsidized (*inaudible*) Federal government. So, the question becomes, is there enough here for that rationale to obtain one of those subsidies. If you are looking for any airport to survive on their own, I would say you would shut down all airports, all planes. I don't think any of them that could run on their own. You want to think about that question.

Vice Chairman Scudder: When you start thinking of 3, 4, 5, or 6 people flying out, in and out a day, that was total, you kind of go –

Mr. Bentley: How much of that was incongruent times, flights being consistently cancelled by operator that had no interest in running the business here.

Vice Chairman Scudder: But then you wonder, can we offer that the destinations, the times with what we have?

Mr. Bentley: Boutique was willing to go to Pittsburg and Baltimore and they were doing the co-shares with United and American. How nice would it be to hop on a web site and go on American Airlines and say, Jamestown to Florida or wherever and you don't have to pick up two tickets, your bags are transferred, your security line in Jamestown is hello, how are you doing, have a nice flight, your parking is free. There is a lot of people that I have talked to that would use that service. Is that enough, I don't know.

Vice Chairman Scudder: We could even have extra ears – (*cross talk*)..

Mr. Bentley: Let me give you an example. We brought in a new FBO and we saw declining rents, declining service, just a reputation that was going downhill and we brought in (*inaudible*) and what a turn around. We're seeing a demand for our space, for our services, those guys are hitting home runs with our businesses. I've heard nothing but good things from Cummings, Wells, all the people that we want to keep the employers here, keep our workforce in play, these are good paying jobs. These guys are treating our customer's right and you hope that would be the same for an airline. If you do it, I think it might surprise you but, I think you do need the study to kind of maybe get an answer to it.

Legislator Nazzaro: Again, I think to my opinion, I just think, you said it Brad, the business plan to me is to do what we're doing now. You've identified the FBO, we identified the users of the airport, the use of hangar space (*inaudible*), people want to land here, o.k.. This study and again, \$72,000, to some people is a lot of money, to me, it's a lot of money, it has strings attached to it because what is going to happen is it's not going to identify – it's going to identify whether we can support commercial or not. It's not going to help us find – Brad just said, you want a carrier – I always flew out of Jamestown. I loved it that you fly up and that was when Chautauqua Airways was here, you fly US Air, you go to Pittsburg, boom, down to

Florida, and it was beautiful. I did it many times. It's going to identify the need but it is not going to get you the carrier. First you have to be approved by the Federal government then you have to find the right carrier. I just think that we should focus our attentions on continuing, redirecting our thoughts now to continue to build on what we have and put the rest the to the commercial air service.

Legislator Davis: My understanding is this study will give us the decision if we should put it to rest or not. Either it's warranted or it is not going forward.

Legislator Nazzaro: Right, that's just my opinion.

Vice Chairman Scudder: It's kind of like strike four.

Mr. Geise: I think that if the market study comes back and it shows a demand that will attract a good carrier. I think before when the numbers were just kind anecdotally applied, the carriers could see that. I think if it comes back positive and it shows that there is a real demand for this, then we would be able to attract a good carrier.

Vice Chairman Scudder: Where are we next Jay?

Legislator Gould: Upgrade County Trails, number 40.

Mr. Bentley: I'm DPF and I'm in charge of Parks and Recreation so the greenway plan has been out there and Mark can talk about that but we have a need for our trails to have our *(inaudible)* approved. We have volunteer efforts that are working on the State lands and *(inaudible)* resolution first was formed, so we got a request from those groups and also the Parks Commission to see if we can get funding from the American Rescue Plan for doing some work at the parks. This all goes to COVID and other spacing and recreation for outdoor events. Two hundred and fifty thousand will go a long way in doing that. It will allow me to fix up our trails and waterways, at least parts of it. When the trails were originally built they were built kind of linearly, straight up and down which is not good for erosion. You can see what happens when water runs *(inaudible)*, so there is all these new techniques that *(inaudible)* biking club has introduced to kind of wind the trail around, put in erosion controls and even found natural ways to get rid of some of our bridges so we don't have to maintain the bridges because they rot out. I've had numerous picture of bridges sent to me that are in bad shape. We have beaver dams where trails are flooded out in Harmony, North Harmony, the beavers tend to really cause a lot of havoc. This is a good opportunity to take some of this money and put it out to the Parks and Recreation system that doesn't get funded by other means.

Vice Chairman Scudder: How long would it take to spend this money?

Mr. Bentley: Depends who I hire or do it internally, or if I can hire people out.

Vice Chairman Scudder: Is it a two year project?

Mr. Bentley: I don't know, Mark?

Mr. Geise: I think it is two years. I mean, we can spend it a lot quicker than that because our Parks and our trails or really our trails are in deplorable condition. They need a lot of upgrading. They really have been, not ignored but they have had very little maintenance since they were built in the 60's. So, certainly I think if we give ourselves a two year timeframe to spend this money, we'll try and leverage it the best we can with CFA funding, through Office of Parks. So this will help. They could use a lot more than this but this will certainly help to get the worse of the worst taken care of.

Vice Chairman Scudder: Was that the last one?

Legislator Gould: There is a couple under all, do we want to discuss those? One is the sewer and one is Soil and Water.

Mr. Bentley: Well, the sewer is pretty easy. It's the expansion of sewer –

Legislator Gould: Yea, we talked about that.

Mr. Bentley: It's just leveraging dollars to extend it from Stow to Prendergast. That is not the full cost of that budget.

Mr. Geise: That's the gap of what is needed in order to make the project happen. It's actually a little more than that but, that would go a long way. It's more I believe around \$10 million that is needed to make the project work economically. I know that they applied for CFA and we'll see what happens with that and also as we have discussed before, there is a potential for, through the infrastructure bill for that project to be potentially paid for through that. But this is an important project. Clean water, Chautauqua Lake, it's important to our economy. As we know Chautauqua Lake is an economic driver in this region and so this would be an epic project.

Vice Chairman Scudder: Does using this money affect the rates that the users would pay? So if one side of the lake got this and the other side of the lake didn't, is there an off balance in the fees because of funding that was received? Does that make sense?

Mr. Geise: No, I think that there's and maybe Pierre can speak to this but there is a maximum rate at which the users can be charged and so they can't exceed that. I believe what would happen is, they would be paying that full rate and then we have to make up the gap. If we can't make up the gap, the project won't happen. In terms of whether there is an imbalance between users and different parts, I don't believe so but I don't know for sure what the answer to that would be.

Chairman Chagnon: Each of these sewer expansions stands on its own merit. So in other words, for the Phase I expansion, the users are going to pay the amount that is not provided by funding and repaying the bonds over 30 years. So to make it affordable as Mark indicated, the

State Comptroller indicates the maximum user fee you can charge for this area is \$1,000 a year per user. So, the funding is to make it affordable to the State Comptroller's limit.

Vice Chairman Scudder: With the limit is what gets charged?

Chairman Chagnon: A limit is what is budgeted to be charged. Our expectation is that in Phase I, we will bring that project in under budget and so the users may pay less than \$1,000 a year, that's our hope and to some extent, our expectation.

Vice Chairman Scudder: So just to get it back into my brain, so we could go around the lake and everyone is not paying the same.

Chairman Chagnon: That's correct. Today, different areas around the lake pay different amounts because each of these projects was done on its own. One clarification to that, when we put the South & Center Sewer District, we also had areas that were preexisting. Their rate didn't go up so the new users paid a higher rate to pay off the bonds. Once the bonds were paid off, their rates drop down and now everybody's are the same.

Vice Chairman Scudder: So there is a base or there is that equal rate, it's just dependent on the project costs?

Chairman Chagnon: Right. After the project is paid for then the rates are equalized.

Vice Chairman Scudder: So you figure it's 30 years?

Chairman Chagnon: Thirty year bonding.

Mr. Bentley: O.k., Soil and Water. The County and DPF formed a good relationship with Soil & Water. They take care of things that (*inaudible*) for the DPF (*inaudible*). They are looking for some money to replenish their (*inaudible*) to be able to go after it. Benefits the residents, non-residents, (*inaudible*) at the Chautauqua Lake watershed, but, the other streams, the Chadakoin and Twenty Eight Mile Creek (*inaudible*). So they are looking for funding to help (*inaudible*) where they can't get to with their existing funding streams. So this will provide the opportunities to be at other parts of the County that they probably can't go after with the 2% occupancy tax.

Mr. Geise: Yeah, they want to work with the local highway departments to stabilize stream banks along roads and right-of-ways, specifically they are going to – this will help fund like heavy rock riff raft and the contractors that have the equipment to install and stabilize the streams. More of long term fixes instead of these short term fixes. They do good work.

Legislator Gould: Another item they have coming, I haven't seen anything on the list about it yet are the dam. Watershed dams and you're grinning a little bit Mr. Bentley but you haven't been in Cherry Creek when it flooded, I have. I didn't work on those dams but I visited them every day almost when they were being built, I knew those inspectors back in those days

and they were built to protect Cherry Creek. If you don't take care of those dams, you'll have some real problems over there and you'll need a lot of boats to get your trucks in and out over there.

Mr. Bentley: There is actually a series of dams that – we don't technically own them (*inaudible*) Cattaraugus -

Legislator Gould: Cattaraugus has five and we have four over here in this County.

Mr. Bentley: I actually went and visited all four with Drew and some other folks. The valves they used to bypass, I don't think it's been operated in the last 30 years.

Legislator Gould: We used to open and shut them every year but that hasn't been done for 20 years now.

Mr. Bentley: I think they have gone out there and tried to turn them.

Legislator Gould: There is no turn.

Mr. Bentley: Drew actually asked me to see if we could find money. Whether it's through the capital projects or through this. That's why I was laughing because he bent my ear probably not more than two weeks ago asking to bring this up and I was wondering whether he got to you yet.

Legislator Gould: No, I've been reading a few emails and I'm sure I'll hear about it Wednesday morning at the Soil & Water meeting.

Mr. Bentley: So that may be coming through especially if some of that money comes back, if there is an infrastructure bill at the Federal level. I asked Drew to put together a proposal what he thinks he needs to (*inaudible*) to either service those valves or replace them in total. They are not the easiest things to get to. There is also some dredging that needs to go on so it's not just the valves. There is just overall, making sure their infrastructure is solid because like you said, they are not dams that is holding back volumes of water but when it rains, they fill up and the last thing you want is to have one of those things go because the downstream effects of that are not good which is why we have them inspected each year. There are some gopher holes which I stepped in a couple going through so they are not in pristine shape by any stretch of the imagination and could certainly use some money. (*Inaudible*) agreement but put some money in there. I don't know where it is propriety wise but if there is money that becomes available, I would offer that up as a potential replacement project.

Vice Chairman Scudder: What I am going to suggest is that we leave this as a discussion and if you have any amendments or changes that you would like to see made, that you get them to the office who can get them to Audit & Control. Otherwise, we're going to be –there are a lot of moving parts here. One move can create a lot of moving parts so I would like to see it go that way.

Mr. Bentley: New York State currently does our building inspections, fire code inspections for us. We are one of 11 counties that opt out of doing it ourselves. New York State has been generous with us and not charged us for the time and effort to do that. The people that have been doing it, one guy has retired and the other one is going to retire and I've been working on a solution this past year to take that over but I will need a local law to do that. I'm in the process of getting all the details on that but I have a plan in place to absorb that function into my engineering department and instead of hiring a new person, I'm going to give them some added responsibilities along with some other organizational changes to do that. It will save us from either having to outsource. The other benefit is, the fees that we get for building permit fees that we have to pay to New York State, we can issue the building permit ourselves, there is no fee to New York State. So there is a little bit of money saving for the work that we do. Like demo permit, building permit but I'll be asking for a local law to be sponsored to opt into the County performing that service. What that does is, it also means that potentially any municipality could ask us to do inspections but we'd have to put a fee structure in place for that. I'm not looking to take over County wide building and fire department inspections so those fees would probably be representative of having to hire additional folks to do that work because I would not be able to do it with existing staff that I have. So those are kind of two things that potentially would be coming up in the very near future here. New York State has been working with me to do this and being very patient with me, so I'd like to recognize their ability not charge me an arm and a leg that they could have at this point.

Vice Chairman Scudder: This will happen this year?

Mr. Bentley: Probably in October, I'll be looking to work with legal how to introduce that local law. But I wanted to introduce it here just as a frame up to get any questions or comments you guys might have before I bring it formally.

Other

Vice Chairman Scudder: Thank you for that. Anybody have any other?

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

Unanimously Carried (5:55 p.m.)

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