

## Agenda

Audit & Control Committee

**September 16, 2021, 8:35 a.m., Rm #331  
Livestreamed on Facebook**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (8/19/21)
- C. Privilege of the Floor
  1. Proposed Resolution - Amend 2021 Budget for Public Facilities Maintenance of Roads
  2. Proposed Resolution – Quit Claim Deeds
  3. Proposed Resolution – FEMA Hazard Mitigation Grant Program (HMGP)
  4. Proposed Resolution – MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources
  5. Proposed Resolution – Amend 2021 Budget for Office of the Sheriff
  6. Proposed Resolution – Authorize Execution of New York State Governor’s Traffic Safety Committee Grant for the Police Traffic Services Program FY22
  7. Proposed Resolution – Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Employer Benefits Costs
  8. Proposed Resolution – Authorize Grant 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 – Septic and Wells Program
  9. Proposed Resolution – Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant
  10. Proposed Resolution – Accept New York State Department of Health COVID-19 Vaccine Response Award
  11. Proposed Resolution – Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award

12. Proposed Resolution – Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mallard Cove Repairs
13. Proposed Resolution – Amend 2021 Budget – Village of Lakewood Loan
14. Proposed Resolution – Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors)
15. Discussion – American Rescue Plan Money Projects
16. Proposed Resolution - American Rescue Plan Act (ARPA) Spending Plan
17. Other

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

BPB 8/30/21
KMD 08/30/21
KMW 8.30.21
SMA 08/30/21
KLC 8/31/21
PMW 9/1/21

**TITLE:** Amend 2021 Budget for Public Facilities Maintenance of Roads

**BY:** Public Facilities and Audit & Control Committees:

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

WHEREAS, some expenses in the Public Facilities Maintenance of Roads Department are anticipated to exceed initial budgetary estimates; and

WHEREAS, the Public Facilities Maintenance of Roads Department has received revenues in excess of budget; 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:

INCREASE APPROPRIATION ACCOUNTS:

D.5110. ----.4	Contractual –Maintenance of Roads	\$160,000
D.5110.3310.4	Contractual-Maintenance of Roads, Pavement Marking	<u>\$ 25,810</u>
	Total	\$185,810

INCREASE REVENUE ACCOUNTS:

D.5110.----.R270.1000	Miscellaneous--Refunds: Prior Yr Exp	\$106,924
D.5110.----.R396.0000	NYS Aid--Emergency Disaster Assistance	\$ 38,946
D.5110.----.R496.0000	Federal Aid--Fema Disaster Reimbursement	<u>\$ 39,940</u>
	Total	\$185,810

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

KAM 9/2/21
KMD 09/02/21
TMT 09/02/21
SMA 09/02/21
KLC 9/3/21
PMW 9/3/21

**TITLE:** Quit Claim Deeds

**BY:** Administrative Services and Audit & Control Committees:

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

WHEREAS, the Administrative Services Committee of the County Legislature has received and hereby recommends acceptance, pursuant to Section 1166 of the Real Property Tax Law, the following offers for the County's Tax Liens as detailed on the attached Schedule 1 under tax sale certificates noted on original papers on file in the office of the Director of Finance; and

WHEREAS, that unless otherwise noted, the County Tax Enforcement Officer has confirmed that the offers received are in compliance with the County's policy regarding tax foreclosure as set forth in Resolution No. 110-17; now therefore be it

RESOLVED, That the Executive and Chairman of this Legislature be hereby authorized to execute Quitclaim Deeds conveying to the offers herein mentioned, the interest of Chautauqua County in said properties under said tax sale certificates; and be it further

RESOLVED, That the Director of Finance of Chautauqua County be hereby authorized to cancel any outstanding taxes, fees, interest and other charges. In adopting this resolution, the Legislature intends to adopt each transaction separately, in the usual form of Resolution, and the failure of any particular transaction to be completed shall in no manner affect the validity of any of the others.

Offer Number	Municipality	S/B/L	Purchaser	Foreclosed Owner	Offer Amount	Taxes Owning
PA-56-2016	City of Jamestown	060800-387.08-4-72	Harold & Virginia Sweet	Adam Pirtz	\$300.00	\$526.37
PA-147-2019	City of Jamestown	060800-387.12-4-47	Voyl Thomas Meacham	Christopher & Tabitha Mascelli	\$1,000.00	\$435.45
PA-149-2018	City of Jamestown	060800-387.32-1-4	Barbara Johnson	Samuel Pollino	\$1.00	\$201.11
				<b>Total</b>	\$1,301.00	\$1,162.93

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>NMG 8/23/2021</b>
<b>KMD 08/27/21</b>
<b>TMT 08/27/21</b>
<b>SMA 08/27/21</b>
<b>KLC 8/31/21</b>
<b>PMW 9/1/21</b>

**TITLE:** FEMA Hazard Mitigation Grant Program (HMGP)

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of \$85,333.00 with a twenty-five percent (25%) in kind match from the County in the amount of \$21,333.00; and

WHEREAS, the grant is to update the Chautauqua County Multi-Jurisdictional Hazard Mitigation Plan (HMP), last revised in 2016; and

WHEREAS, the grant period runs from July 28, 2021 through June 17, 2024, or as may be amended; and

WHEREAS, the expenses and revenues for the grant agreement are within the financial parameters of the proposed 2022 County Budget; now therefore be it

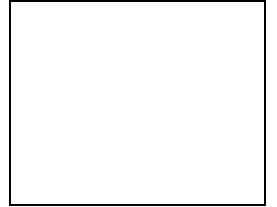
RESOLVED, That the County Executive is hereby authorized to sign and execute all necessary agreements to accept the award and subsequent changes to work plans.

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**APPROVED**  
**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** MOA with NYS DHSES for Temporary Loan of Interoperable Communications Resources

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, New York State Department of Homeland Security and Emergency Services (NYS DHSES) has acquired the hardware, software and user Mutualink Edge Subscription Services for Mutualink Interoperability platforms and wishes to temporarily loan or continue to loan such equipment at no cost to New York State counties for communications purposes; and

WHEREAS, the State and County have tentatively negotiated a Memorandum of Agreement (MOA) which establishes the responsibilities, rules, and procedures for the deployment and use of the equipment, software, and user subscriptions provided to the County by NYS DHSES; and

WHEREAS, the term of this Agreement shall commence on the first Monday immediately following approval by the Office of the State Comptroller and shall terminate March 31, 2024; and

WHEREAS, the County acknowledges receipt of said equipment; and

WHEREAS, this agreement is at no cost to the County so no budget amendment is needed at this time; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement with the NYS DHSES as set forth above.

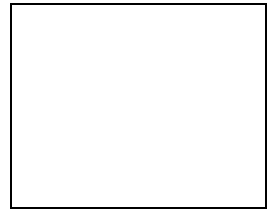
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Amend 2021 Budget for Office of the Sheriff

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates; and

WHEREAS, the Office of the Sheriff will receive revenues in excess of budget; 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:

**INCREASE APPROPRIATION ACCOUNTS:**

A.3189.3111.4	Contractual – Navigation/Snowmobile	\$9,504
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**DECREASE APPROPRIATION ACCOUNTS:**

A.3189.3111.1	Personal Services – Navigation/Snowmobile	\$9,504
A.3110.GRNT.1	Personal Services – Sheriff Grants	\$12,738
A.3110.GRNT.8	Employee Benefits – Sheriff Grants	<u>\$1,163</u>
	TOTAL	\$23,405

**DECREASE REVENUE ACCOUNTS:**

A.3110.GRNT.R438.9004	Federal Aid – Sheriff Grants	\$13,901
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Authorize Execution of New York State Governor's Traffic Safety Committee Grant for the Police Traffic Services Program FY22

**BY:** Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Sheriff received notice the State of New York Governor's Traffic Safety Committee has approved the application submitted for the Police Traffic Services Program; and

WHEREAS, the State of New York will provide funding in the amount of \$22,700 with no local funds required for the contract period from October 1, 2021 to September 30, 2022; and

WHEREAS, this grant is new to the Chautauqua County Office of the Sheriff and is not included in the 2021 Adopted Budget, but is included in the proposed 2022 Budget; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Governor's Traffic Safety Committee to secure the grant funding as set forth above; and also be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1                      Personal Services – Sheriff, Sheriff Grants      \$2,600

INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R338.9000      NYS Aid—Other Public Safety                      \$2,600

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**APPROVED**

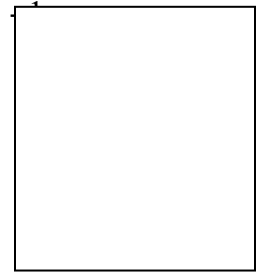
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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**



**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Amend Chautauqua County Health & Human Services 2021  
Adopted Budget for Employee Benefits Costs

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, 2021 expenditures for Employee Benefits for the Home Energy Assistance Program are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 expenditures for Employee Benefits for Social Services Administration are now projected to be less than the budgeted amount; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.6141.----.8 Employee Benefits—Home Energy Assist Prog	\$21,000
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DECREASE APPROPRIATION ACCOUNT:

A.6010.----.8 Employee Benefits—Social Services Admin	\$21,000
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**



**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased ELC COVID Grant

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, Chautauqua County was awarded New York State Department of Health (NYSDOH) funding in the amount of \$303,643 for Epidemiology and Laboratory Capacity for Infectious Diseases (ELC) for the two year period from July 1, 2020 to June 30, 2022; and

WHEREAS, the amount of the ELC COVID grant has been increased to \$717,015 and the term of the grant has been modified to July 1, 2020 to March 31, 2023; and

WHEREAS, 2021 revenue for the ELC COVID grant is now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the ELC COVID grant are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance—	
	Unassigned Fund Balance	\$ 36,256

; and be it further

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

INCREASE REVENUE ACCOUNT:

A.4010.---- R440.1001	Federal Aid — Publ Hlth: ELC & CDC COVID	
	Grants	\$137,627

DECREASE REVENUE ACCOUNT:

A.4010.PHSA.R340.1000	New York State Aid — Public Health Grant	\$ 11,037
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INCREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	\$ 26,288
A.4010.----.2	Equipment— Public Health Admin	\$ 11,466
A.4010.----.4	Contractual— Public Health Admin	\$ 36,791
A.4010.----.8	Employee Benefits— Public Health Admin	<u>\$ 15,789</u>
	Total	\$ 90,334

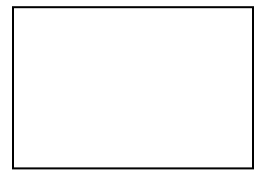
**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Accept New York State Department of Health COVID 19 Vaccine Response Award

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, the New York State Department of Health (NYSDOH) has awarded a COVID 19 Vaccine Response Award to the Chautauqua County Department of Health and Human Services to promote and increase COVID-19 vaccine and other vaccine uptake for the period January 1, 2021 through June 30, 2024 in the amount of \$142,088.42; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into agreements for, and execute all necessary award-related documents for, the above-named award, for so long as the County continues to be funded by this program; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any additional documentation, amendments, or addenda necessary to effectuate the County's receipt of such funds.

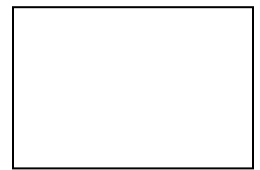
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Amend Chautauqua County Health & Human Services 2021 Adopted Budget for New York State Department of Health ELC Reopening Schools Award

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, Chautauqua County has been awarded a New York State Department of Health ELC Reopening Schools Award in the amount of \$4,339,779 for the period July 1, 2021 through July 31, 2022; and

WHEREAS, 2021 revenue for the ELC Reopening Schools Award is now projected to be higher than the budgeted amount; and

WHEREAS, 2021 expenditures for the ELC Reopening Schools Award are now projected to be in excess of the budgeted amount; now therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.-----917.0000	Unassigned Fund Balance—	
	Unassigned Fund Balance	\$ 20,637

; and be it further

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

INCREASE REVENUE ACCOUNT:

A.4010.---- R440.1001	Federal Aid — Publ Hlth: ELC & CDC	
	COVID Grants	\$1,606,054

DECREASE REVENUE ACCOUNT:

A.4010.PHSA.R340.1000	New York State Aid — Public Health Grant	\$ 5,988
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INCREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	\$ 14,663
A.4010.----.4	Contractual— Public Health Admin	\$1,555,958
A.4010.----.8	Employee Benefits— Public Health Admin	\$ 8,808
	Total	<u>\$1,579,429</u>

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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County Executive

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Date

DLM 8/25/21  
KMD 08/27/21  
ABC 08/27/21  
SMA 08/27/21  
KLC 8/31/21  
PMW 9/1/21

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Mallard Cove Repairs

**BY:** Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, in 2017 a 2% Occupancy Tax grant-funded streambank stabilization project was implemented on an unnamed tributary to Chautauqua Lake that adjoins the Mallard Cove Subdivision; and

WHEREAS, the severe storm event of July 17-18, 2021 resulted in the failure of the streambank and streambed immediately upstream of the 2017 project, and the failing streambank and streambed will eventually cause the 2017 project to also fail unless remedial measures are implemented; and

WHEREAS, the Chautauqua County Soil & Water Conservation District recommends a remedy whereby large rock riprap will be used to stabilize the failing streambed and the existing streambank stabilization materials will be re-oriented in a manner that better protects the adjoining properties and extends the useful life of the project, at a cost not to exceed \$8,500; and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of \$235,634 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$8,500 from the 2% Occupancy Tax Program Reserve to be dispersed to the Chautauqua County Soil & Water Conservation District for implementation of the remedy; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the A Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway \$8,500

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning, Watershed Administration \$8,500

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

DLM 8/23/21
KMD 08/27/21
ABC 08/27/21
SMA 08/30/21
KLC 8/31/21
PMW 9/1/21

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Amend 2021 Budget – Village of Lakewood Loan

**BY:** Planning & Development and Audit & Control Committees:

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

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD), the Chautauqua Lake and Watershed Management Alliance (Alliance), the Village of Lakewood, and the Town of Busti successfully partnered in 2016 to procure previous state funding pursuant to Resolution No. 193-16, which produced a stormwater engineering study and report completed May 2018, identifying stormwater projects located within the Village of Lakewood and Town of Busti that were then pursued through 2018 CFA grant funding, implementation of which will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, the Chautauqua County Legislature committed to extending a 0% loan for up to \$450,000 in Resolution 22-19, with a term no longer than the corresponding state assistance contracts between the Village of Lakewood and New York State granting agencies, generally 5 years in length, to assist the Village of Lakewood in accessing working capital to offset the burden of the reimbursable nature of these two grants; and

WHEREAS, revenues and expenditures associated with the loan were not included in the 2021 Adopted Budget; 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:

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4	Contractual—Planning	\$450,000
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ESTABLISH & INCREASE REVENUE ACCOUNT:

A.8020.----.R238.9002	Shared Services—Oth Home & Community Svcs- Oth Govts	\$450,000
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**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Big 3 Distributors)

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, there is pending litigation regarding the opioid addiction crisis on behalf of New York State and its local subdivisions, in which the County of Chautauqua is a named plaintiff in the action (the “Action”); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids, and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants McKesson Corporation, Cardinal Health, Inc., AmerisourceBergen Drug Corporation, PSS World Medical, Inc., Kinray, LLC, Bellco Drug Corporation, and American Medical Distributors, Inc. (the “Big 3 Distributors”) based on claims that the Big 3 Distributors contributed to the opioid epidemic by failing to comply with their obligations under the federal Controlled Substances Act and the New York Controlled Substances Act to implement adequate measures to prevent diversion of the prescription opioids they distributed to pharmacies and others in Chautauqua County, all of which contributed to a public health crisis in Chautauqua County; and

WHEREAS, the New York State Attorney General’s office has approved a settlement agreement and release form with the Big 3 Distributors (the “Agreement”) to settle the claims of the State and its subdivisions, and pursuant to the Agreement, the Big 3 Distributors shall pay the State and its subdivisions a minimum of approximately \$550 million and a maximum of approximately \$1 billion, with the County’s share between approximately \$2,544,362.32 and approximately \$4,494,579.61 over eighteen (18) years, and the Big 3 Distributors shall agree to create and maintain a national clearinghouse with strict requirements on data sharing designed to account for opioid shipments by the distributors and others; and

WHEREAS, the Agreement provides that approximately 21% of the County’s final settlement proceeds will be unrestricted as to their use, and approximately 79% of the County’s final settlement proceeds may only be used for Approved Uses, which are defined to include the following categories: Treating Opioid Use Disorder; Supporting People in Treatment and Recovery; Connecting People who Need Help to Help; Addressing the Needs of Criminal-Justice Involved Persons; Addressing the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome; Preventing Over-Prescribing and Ensuring Appropriate Prescribing and Dispensing of Opioids; Preventing Misuse of Opioids; Preventing Overdose Deaths and Other Harms; Supporting Law Enforcement and First Responders; Supporting Opioid Abatement Research; Supporting Post-Mortem Efforts (such as toxicology tests, autopsies, investigations, indigent burial, and epidemiologic data); and

WHEREAS, it is in the best interest of the County to resolve the Action with the Big 3 Distributors without further litigation, and enter into the proposed Agreement as it shall settle all allegations against the Big 3 Distributors and avoid protracted litigation; therefore be it

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**



RESOLVED, That the County Executive and the County's counsel are each authorized and empowered on behalf of the County of Chautauqua to execute the Agreement with the Big 3 Distributors to settle the Action of the County against Big 3 Distributors relating to the opioid addiction crisis, and execute such other documents as may be necessary and appropriate to effectuate said settlement with the Big 3 Distributors.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>MRG 9-9-21 KMD 09/09/21 ABC 09/09/21 SMA 09/09/21 PMW 9/9/21</b>
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**TITLE:** American Rescue Plan Act (ARPA) Spending Plan

**BY:** Public Facilities, Administrative Services, Public Safety, Human Services, Planning & Economic Development, and Audit & Control Committees:

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, as part of the \$1.9 trillion package, \$350 billion was allocated into a State and Local Fiscal Recovery fund to help offset revenue losses and address specific public health and economic initiatives; and

WHEREAS, the U.S. Treasury Department issued detailed guidelines for the allowable use of this funding by county governments, which include four categories:

- Respond to COVID-19 and its economic effects
- Provide premium pay to essential workers
- Restore lost revenue
- Water, Sewer, and Broadband Infrastructure Projects; and

WHEREAS, Chautauqua County received an award of \$24,600,000 in ARPA funding, of which \$18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining \$6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, the ARPA funding is to be committed in two equal tranches of \$12,300,000, and unexpended funds are not subject to recapture or return until December 31, 2026; and

WHEREAS, an ARPA Committee consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Plan (Plan) consisting of projects that will be implemented to address the key strategic categories as defined by the Department of Treasury; and

WHEREAS, a request for projects addressing the key strategic categories as defined by the Department of Treasury was sent to all County department heads; and

WHEREAS, the County Executive and the ARPA committee are placing a special emphasis on Public Health, Infrastructure, Economic/Workforce Development, Clean Water, and Public Safety projects; and

WHEREAS, a work group session, open to the public, was held on September 8, 2021 with the County Legislature wherein the Plan was presented and discussed; and

**APPROVED**  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

WHEREAS, the Plan has been thoroughly reviewed by the ARPA Committee who recommended its adoption to the County Executive, who, in turn, is recommending approval of this Plan to the County Legislature; and

WHEREAS, the projects in the Plan identified in the table below, and recommended for approval by County Legislature, are sustainable, and have a County-wide impact; and

<b>Public Health</b>	
Healthy Housing/Lead-based Paint Remediation (Yr. 1)	\$700,000
Strong Starts Chautauqua (Yr. 1)	\$378,000
IT Upgrades for PH (Yr. 1)	\$110,000
Ag Bldg Upgrades/Building Consolidations/Relocation Costs (Yr. 1)	\$1,100,000
Replenish PPE (Yr. 1)	\$90,000
Purchase Deterra Pouches (Yr. 1)	\$45,000
Address Isolation/Quarantine Housing (Yr. 1)	\$100,000
HVAC/Indoor Quality Improvements for County-owned Properties (Yr. 1)	\$640,000
Paving Project at EOC for drive through PH Clinic (Yr. 1)	\$250,000
Community Contracts/ PH Emergency Response Planning & Preparation (Yr. 1)	\$200,000
<b>Infrastructure</b>	
Provide Broadband to Unserved or Under-served Communities (Yr. 2)	\$2,500,000
County Internet Bandwidth Upgrades (Yr. 1)	\$173,000
Water/Sewer Infrastructure for Shovel-Ready Site(s) (Yr. 2)	\$1,400,000
Purchase 60 Ton Crane (Yr. 1)	\$650,000
Purchase 2 new dump/plow Trucks (Yr. 1)	\$480,000
Purchase 1 new snow blower (Yr. 1)	\$810,000
Purchase Long Arm Excavator (Yr. 1)	\$400,000
Air Service Development Study (Yr. 1)	\$72,000
<b>Economic/Workforce Development</b>	
Site Acquisition for Shovel-Ready Site(s) (Yr. 1)	\$1,400,000
Occupancy Tax Program Bolster (Yr. 1)	\$800,000
CCPEG - Multitude of Economic Development Initiatives (Yr. 1)	\$500,000
Workforce Dev. Initiative - WIB, JCC, CCVB, and other workforce partners (Yr. 1)	\$352,000
Environmental Permit Fee Waiver Program (Yr. 1)	\$240,000
CCE Agricultural Improvement Program (Yr. 1)	\$232,540
Marketing Assistance to Businesses & NFPs via CCCC & CCIDA (Yr. 1)	\$400,000
<b>Clean Water</b>	
Phase 2 of the S&CCLSD west side extension from Stow to the terminus of the NCLSD at Prendergast Creek (Yr. 1: \$108,342 & Yr. 2: \$8,300,000)	\$8,408,342
Soil & Water Conservation District (Yr. 1)	\$250,000
Chautauqua Lake District Work Plan (Yr. 1)	\$150,000
Jefferson Project County Contribution (Yr. 1)	\$250,000
<b>Public Safety</b>	
Remodel Print Shop to expand Dist. Att. Office (Yr. 1)	\$70,000
New Handguns (Yr. 1)	\$64,610
Personal Ballistic Vests (Yr. 1)	\$30,000
Body & Mail Scanners (Yr. 1)	\$318,000
Communications (Yr. 1)	\$175,000
Message Board (Yr. 1)	\$30,000
EOC Upgrades (Yr. 1)	\$41,500
Replace Dive Boat (Yr. 1)	\$135,000
EMS Equipment (Yr. 1)	\$121,200

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date

<b>Miscellaneous</b>	
Digitize County Records (Yr. 1)	\$33,808
Upgrade County Trails (Yr. 1)	\$250,000
ARPA Administrator (Part-Time) (Yr. 1)	\$250,000

WHEREAS, that while the descriptions and funding amounts for projects recommended in the Plan have been ascertained, they are subject to change in terms of the scope of each project, funding amounts, or in other ways, and maximum flexibility needs to be granted to the Department Heads managing these projects so that legislative review is not required every time a project undergoes a non-substantive change; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the projects in the ARPA Plan; and it is further

RESOLVED, That projects that change substantively or are removed from the ARPA Plan, and/or the introduction of new projects using ARPA funds, will require the Department Head responsible for managing the project to propose an amendment to the ARPA Plan; and be it further

RESOLVED, That the Director of Finance is authorized to make any technical adjustments necessary to facilitate this resolution.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
County Executive

\_\_\_\_\_  
Date