

Agenda

Audit & Control Committee

WEDNESDAY

November 10, 2021, 8:35 a.m., Legislative Chambers

Livestreamed on Facebook

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (Budget – 10/8/21) and 10/21/21
- C. Privilege of the Floor
 - 1. TABLED Resolution – Amend 2021 Budget to Implement the Upgrades to County Trails Projects Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan
 - 2. Proposed Resolution - Amend 2021 Budget to Implement the HVAC/Indoor Quality Improvements for County Owned Buildings within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan
 - 3. Proposed Resolution - Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings
 - 4. Proposed Resolution - Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport
 - 5. Proposed Resolution - Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport
 - 6. Proposed Resolution - A Resolution Authorizing the Issuance pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Chautauqua, New York, to be Designated Substantially “Public Improvement Refunding (Serial) Bonds,” and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby
 - 7. Proposed Resolution - 2022 County Sponsorship Contribution for JCC

8. Proposed Resolution - Distribution of Mortgage Taxes
9. Proposed Resolution – Probation DCJS Employment Focused Services Grant
10. Proposed Resolution – Emergency Services 2021 Budget Adjustment
11. Proposed Resolution – Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System
12. Proposed Resolution – Authorize Execution of NYS Office of Homeland Security Funding Grant – Operation Stonegarden FY21
13. Proposed Resolution – Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant
14. Proposed Resolution – Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan
15. Proposed Resolution – Amend 2021 Budget for Office of the Sheriff
16. Proposed Resolution – Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs
17. Proposed Resolution – Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs
18. Proposed Resolution – Co-Fund Lake Erie Weed Harvester
19. Local Law Intro 3-21 – Amending Local Law 7-90 Providing for a Management Salary Plan for County Officers and Employees
20. Discussion – EMS – Fly Car by Noel Guttman
21. Discussion - Finance Management Policy by Kitty Crow
22. Other

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

MRG 10/1/21
KMD 10/4/21
BPB 10/5/21
KMW 10.5.21
SMA 10/05/21
KLC 10/07/21
PMW 10/7/21

TITLE: Amend 2021 Budget to Implement the Upgrades to County Trails Project
Within the Chautauqua County American Rescue Plan Act (ARPA)
Spending Plan

BY: Public Facilities, 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, 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, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the Upgrade County Trails project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to Implement the Upgrades to County Trails project:

INCREASE APPROPRIATION ACCOUNTS:

H.8020.37010.4	Contractual—Planning, Trail Development (2020)	\$250,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	\$250,000
	Total	\$500,000

INCREASE REVENUE ACCOUNTS:

H.8020.37010.R503.1000	Interfund Transfers – Interfund Transfer	\$250,000
A.9950.9999.R408.9ARP	Interfund Transfers – Other Fed Aid: ARPA	\$250,000
	Total	\$500,000

AC - Tabled 10/21/2021
PF - Tabled 10/18/2021
PED. Tabled 10/20/2021

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the County established a capital project in 2018 to investigate the modernization of the indoor lighting infrastructure in various County owned buildings; and

WHEREAS, the County has received a bid to retrofit the existing indoor lighting in the HRC, GOB, County Courthouse, Family Court, County Jail, DPF Administration, CARTS office and Sheridan Shop office buildings; and

WHEREAS, it is proposed that this project be funded by capital reserve; therefore be it

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

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Reserved Fund Balance--Reserve for Capital	\$355,000
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the LED Lighting Retrofit project:

INCREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfers—Transfer to Capital	\$355,000
H.1620.25930.4	Contractual—Buildings & Grounds, GOB/Courthouse/HRC Lights (2018)	<u>\$355,000</u>
	Total	\$710,000

INCREASE REVENUE ACCOUNT:

H.1620.25930.R503.1000	Interfund Transfers—Interfund Transfer	\$355,000
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APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the County owns and operates the Chautauqua County Dunkirk Airport, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to “provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic”; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue Plan Act (ARPA) Grant Offer, Grant No. 3-36-0022-062-2022 in the amount of \$32,000 (hereinafter called “the Grant”) for the Chautauqua County Dunkirk Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Dunkirk Airport’s allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than November 30, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 84-21, The Chautauqua County Legislature accepted Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) grant No. 3-36-0022-060-2021 in the amount of \$13,000 for the Chautauqua County Dunkirk Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the ARPA Grant Offer, Grant No. 3-36-0022-062-2022 in the amount of \$32,000 for the Chautauqua County Dunkirk Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

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

INCREASE APPROPRIATION ACCOUNT :

A.5610.5612.1	Personal Services-Chautauqua County Airport, Dunkirk Airport	\$45,000
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INCREASE REVENUE ACCOUNT:

A.5610.5612.R458.9000	Federal Aid-Transportation	\$45,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

- 1 -
BPB 11/3/2021
PMW 11/3/21

TITLE: Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the County owns and operates the Chautauqua County Jamestown Airport, a non-primary public airport in the National Plan of Integrated Airport Systems (NPIAS), in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and enhances current and future economic development in the County; and

WHEREAS, pursuant to Public Law 117-2 (ARPA), Federal funds were made available to U.S. public airports in the NPIAS to “provide economic assistance to airports to prevent, prepare for, and respond to the coronavirus disease 2019 (COVID-19) pandemic”; and

WHEREAS, the County submitted a grant application to the Federal Aviation Administration (FAA) and received American Rescue Plan Act (ARPA) Grant Offer, Grant No. 3-36-0048-057-2022 in the amount of \$32,000 (hereinafter called “the Grant”) for the Chautauqua County Jamestown Airport, and said funds will be used for costs related to operations, personnel, cleaning, sanitization, janitorial services, and combating the spread of pathogens at the airport; and

WHEREAS, the Airport Commission reviewed and recommended that the County accept the Grant for the purpose of offsetting the Chautauqua County Dunkirk Airport’s allowable operating costs; and

WHEREAS, the County must accept the Grant and the FAA must obligate the funds no later than November 30, 2021 in order for the Grant to be valid; and

WHEREAS, pursuant to Resolution 85-21, The Chautauqua County Legislature accepted Coronavirus Response and Relief Supplemental Appropriation Act 2021 (CRRSA) grant No. 3-36-0048-055-2021 in the amount of \$13,000 for the Chautauqua County Jamestown Airport, but the resolution did not include any budget amendments necessitated by the grant; now therefore be it

RESOLVED, that the Chautauqua County Legislature accepts the ARPA Grant Offer, Grant No. 3-36-0048-057-2022 in the amount of \$32,000 for the Chautauqua County Dunkirk Airport; and be it further

RESOLVED, That the County Executive is authorized to execute all necessary documents on behalf of Chautauqua County with the FAA in connection with this Grant; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.5610.5610.1	Personal Services-Chautauqua County Airport, Jamestown Airport	\$45,000
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INCREASE REVENUE ACCOUNT:

A.5610.5610.R458.9000	Federal Aid-Transportation	\$45,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: A Resolution Authorizing the Issuance pursuant to Section 90.10 of the Local Finance Law of Refunding Bonds of the County of Chautauqua, New York, to be Designated Substantially “Public Improvement Refunding (Serial) Bonds,” and Providing for Other Matters in Relation Thereto and the Payment of the Bonds to be Refunded Thereby

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the County of Chautauqua, New York (hereinafter, the “County”) heretofore issued \$15,765,000 Public Improvement Refunding (Serial) Bonds, 2012, pursuant to a bond determinations certificate dated October 30, 2012 (hereinafter referred to as the “Bond Certificate”), and duly executed by the Director of Finance, to refinance the cost of the Chautauqua County jail building additions and renovations, and improvements to court facilities, such Public Improvement Refunding (Serial) Bonds, 2012, being dated October 30, 2012 with remaining maturities on June 1 in the years 2022 through 2029, both inclusive, as more fully described in the Bond Certificate (the “Refunded Bonds”); and

WHEREAS, it would be in the public interest to refund all or a portion of the outstanding principal balance of the Refunded Bonds by the issuance of refunding bonds pursuant to Section 90.10 of the Local Finance Law; and

WHEREAS, such refunding will only be undertaken if it results in present value savings in debt service as required by Section 90.10 of the Local Finance Law; now therefore be it

RESOLVED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. For the object or purpose of refunding the outstanding principal balance of the Refunded Bonds maturing in 2023 and thereafter as more fully set forth in the Refunding Financial Plan (hereinafter defined), including providing moneys which, together with the interest earned from the investment of certain of the proceeds of the refunding bonds herein authorized, shall be sufficient to pay (i) the principal amount of such Refunded Bonds, (ii) the aggregate amount of unmatured interest payable on such Refunded Bonds to and including the date on which the Refunded Bonds which are callable are to be called prior to their respective maturities in accordance with the refunding financial plan, as hereinafter defined, as well as any prepayment premium, (iii) the costs and expenses incidental to the issuance of the refunding bonds herein authorized, including the development of the refunding financial plan, as hereinafter defined, compensation to the underwriter or underwriters, as hereinafter defined, costs and expenses of executing and performing the terms and conditions of the escrow contract or contracts, as hereinafter defined, and fees and charges of the escrow holder or holders, as hereinafter mentioned, and (iv) the premium or premiums for a policy or policies of municipal bond insurance or cost or costs of other credit enhancement facility or facilities, for the refunding bonds herein authorized, or any portion thereof, there are hereby authorized to be issued not exceeding \$8,000,000 refunding serial bonds of the County pursuant to the provisions of Section 90.10 of the Local Finance Law (the “Refunding Bonds”), it being anticipated that the amount of Refunding Bonds actually to be issued will be approximately \$7,260,000, as provided in Section 4 hereof.

The Refunding Bonds described herein are hereby authorized to be consolidated for purposes of sale in one or more refunding serial bond issues. The Refunding Bonds shall each be designated substantially “PUBLIC IMPROVEMENT REFUNDING (SERIAL) BOND” together with such series designation and year as is appropriate on the date of sale thereof, shall be of the denomination of \$5,000 or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity, shall be numbered with the prefix R 22 (or R with the last two digits of the year in which the Refunding Bonds are issued as appropriate) followed by a dash and then from 1 upward, shall be dated on such dates,

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County Executive

Date

and shall mature annually on such dates in such years, bearing interest semi-annually on such dates, at the rate or rates of interest per annum, as may be necessary to sell the same, all as shall be determined by the Director of Finance pursuant to Section 4 hereof.

It is hereby further determined that

(a) such Refunding Bonds may be issued in series,

(b) such Refunding Bonds may be sold at a discount in the manner authorized by paragraph a of Section 57.00 of the Local Finance Law pursuant to subdivision 2 of paragraph f of Section 90.10 of the Local Finance Law, and

(c) such Refunding Bonds may be issued as a single consolidated issue.

It is hereby further determined that such Refunding Bonds may be issued to refund all, or any portion of, the Refunded Bonds, subject to the limitation hereinafter described in Section 10 hereof relating to approval by the State Comptroller.

Section 2. The Refunding Bonds may be subject to redemption prior to maturity upon such terms as the Director of Finance shall prescribe, which terms shall be in compliance with the requirements of Section 53.00 (b) of the Local Finance Law. If less than all of the Refunding Bonds of any maturity are to be redeemed, the particular refunding bonds of such maturity to be redeemed shall be selected by the County by lot in any customary manner of selection as determined by the Director of Finance. Notice of such call for redemption shall be given by notice to the registered owners not less than thirty (30) days prior to such date. Notice of redemption having been given as aforesaid, the bonds so called for redemption shall, on the date for redemption set forth in such call for redemption, become due and payable, together with interest to such redemption date, and interest shall cease to be paid thereon after such redemption date.

The Refunding Bonds shall be issued in registered form and shall not be registrable to bearer or convertible into bearer coupon form. In the event said Refunding Bonds are issued in non-certificated form, such bonds, when issued, shall be initially issued in registered form in denominations such that one bond shall be issued for each maturity of bonds and shall be registered in the name of Cede & Co., as nominee of The Depository Trust Company, New York, New York ("DTC"), which will act as securities depository for the bonds in accordance with the Book Entry Only system of DTC. In the event that either DTC shall discontinue the Book Entry Only system or the County shall terminate its participation in such Book Entry Only system, such bonds shall thereafter be issued in certificated form of the denomination of \$5,000 each or any integral multiple thereof (except for any odd denominations, if necessary) not exceeding the principal amount of each respective maturity. In the case of non-certificated Refunding Bonds, principal of and interest on the bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to DTC, or to its nominee, Cede & Co., while the bonds are registered in the name of Cede & Co. in accordance with such Book Entry Only System. Principal shall only be payable upon surrender of the bonds at the principal corporate trust office of such Fiscal Agent (or at the office of the Director of Finance as Fiscal Agent as hereinafter provided).

In the event said Refunding Bonds are issued in certificated form, principal of and interest on the Refunding Bonds shall be payable by check or draft mailed by the Fiscal Agent (as hereinafter defined) to the registered owners of the Refunding Bonds as shown on the registration books of the County maintained by the Fiscal Agent (as hereinafter defined), as of the close of business on the fifteenth day of the calendar month or last day of the calendar month preceding each interest payment date as appropriate and as provided in a certificate of the Director of Finance providing for the details of the Refunding Bonds. Principal shall only be payable upon surrender of bonds at the principal corporate trust office of a bank or trust company or banks or trust companies located or authorized to do business in the State of New York, as shall hereafter be designated by the Director of Finance as fiscal agent of the County for the Refunding Bonds (collectively the "Fiscal Agent").

Refunding Bonds in certificated form may be transferred or exchanged at any time prior to maturity at the principal corporate trust office of the Fiscal Agent for bonds of the same maturity of any authorized denomination or denominations in the same aggregate principal amount.

Principal and interest on the Refunding Bonds will be payable in lawful money of the United States of America.

The Director of Finance, as chief fiscal officer of the County, is hereby authorized and directed to enter into an agreement or agreements containing such terms and conditions as he

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

shall deem proper with the Fiscal Agent, for the purpose of having such bank or trust company or banks or trust companies act, in connection with the Refunding Bonds, as the Fiscal Agent for said County, to perform the services described in Section 70.00 of the Local Finance Law, and to execute such agreement or agreements on behalf of the County, regardless of whether the Refunding Bonds are initially issued in certificated or non-certificated form; provided, however, that the Director of Finance is also hereby authorized to name the Director of Finance as the Fiscal Agent in connection with the Refunding Bonds if said Refunding Bonds are issued in non-certificated form.

The Director of Finance is hereby further delegated all powers of this County Legislature with respect to agreements for credit enhancement, derived from and pursuant to Section 168.00 of the Local Finance Law, for said Refunding Bonds, including, but not limited to the determination of the provider of such credit enhancement facility or facilities and the terms and contents of any agreement or agreements related thereto.

The Refunding Bonds shall be executed in the name of the County by the manual or facsimile signature of the Director of Finance, and its corporate seal shall be imprinted thereon. In the event of facsimile signature, the Refunding Bonds shall be authenticated by the manual signature of an authorized officer or employee of the Fiscal Agent. The Refunding Bonds shall contain the recital required by subdivision 4 of paragraph j of Section 90.10 of the Local Finance Law and the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine. It is hereby determined that it is to the financial advantage of the County not to impose and collect from registered owners of the Refunding Bonds any charges for mailing, shipping and insuring bonds transferred or exchanged by the Fiscal Agent, and, accordingly, pursuant to paragraph c of Section 70.00 of the Local Finance Law, no such charges shall be so collected by the Fiscal Agent.

Section 3. It is hereby determined that:

(a) the maximum amount of the Refunding Bonds authorized to be issued pursuant to this resolution does not exceed the limitation imposed by subdivision 1 of paragraph b of Section 90.10 of the Local Finance Law;

(b) the maximum period of probable usefulness permitted by law at the time of the issuance of the Refunded Bonds for the object or purpose for which such Refunded Bonds were issued is as specified in the Bond Certificate which is incorporated herein by reference;

(c) the last installment of the Refunding Bonds will mature not later than the expiration of the respective period of probable usefulness of the objects or purposes for which said Refunded Bonds were issued in accordance with the provisions of paragraph c of Section 90.10 of the Local Finance Law;

(d) the estimated present value of the total debt service savings anticipated as a result of the issuance of the Refunding Bonds, computed in accordance with the provisions of subdivision 2 of paragraph b of Section 90.10 of the Local Finance Law, with regard to the Refunded Bonds is as shown in the Refunding Financial Plan described in Section 4 hereof.

Section 4. The financial plan for the refunding authorized by this resolution (the "Refunding Financial Plan"), showing the sources and amounts of all moneys required to accomplish such refunding, the estimated present value of the total debt service savings and the basis for the computation of the aforesaid estimated present value of total debt service savings, are set forth in Exhibit A attached hereto and made a part of this resolution. The Refunding Financial Plan has been prepared based upon the assumption that the Refunding Bonds will be issued in one series, and that the Refunding Bonds will mature, be of such terms, and bear interest as set forth on Exhibit A attached hereto and made a part of this resolution. This County Legislature recognizes that the Refunding Bonds may be issued in one or more series, and for only portions thereof, that the amount of the Refunding Bonds, maturities, terms, and interest rate or rates borne by the Refunding Bonds to be issued by the County will most probably be different from such assumptions and that the Refunding Financial Plan will also most probably be different from that attached hereto as Exhibit A. The Director of Finance is hereby authorized and directed to determine the amount of the Refunding Bonds to be issued, the date or dates of such bonds and the date or dates of issue, maturities and terms thereof, the provisions relating to the redemption of Refunding Bonds prior to maturity, whether the Refunding Bonds will be insured by a policy or policies of municipal bond insurance or otherwise enhanced by a credit enhancement facility

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

or facilities, whether the Refunding Bonds shall be sold at a discount in the manner authorized by paragraph e of Section 57.00 of the Local Finance Law, and the rate or rates of interest to be borne thereby, whether the Refunding Bonds shall be issued having substantially level or declining annual debt service and all matters related thereto, and to prepare, or cause to be provided, a final Refunding Financial Plan for the Refunding Bonds and all powers in connection therewith are hereby delegated to the Director of Finance; provided, that the terms of the Refunding Bonds to be issued, including the rate or rates of interest borne thereby, shall comply with the requirements of Section 90.10 of the Local Finance Law. The Director of Finance shall file a copy of her certificate determining the details of the Refunding Bonds and the final Refunding Financial Plan with the Clerk of the County Legislature not later than ten (10) days after the delivery of the Refunding Bonds, as herein provided.

Section 5. The Director of Finance is hereby authorized and directed to enter into an escrow contract or contracts (collectively the “Escrow Contract”) with a bank or trust company, or with banks or trust companies, located and authorized to do business in this State as said Director of Finance shall designate (collectively the “Escrow Holder”) for the purpose of having the Escrow Holder act, in connection with the Refunding Bonds, as the escrow holder to perform the services described in Section 90.10 of the Local Finance Law.

Section 6. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged to the payment of the principal of and interest on the Refunding Bonds as the same become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such bonds becoming due and payable in such year. There shall be annually levied on all the taxable real property in said County a tax sufficient to pay the principal of and interest on such Refunding Bonds as the same become due and payable.

Section 7. All of the proceeds from the sale of the Refunding Bonds, including the premium, if any, but excluding accrued interest thereon, shall immediately upon receipt thereof be placed in escrow with the Escrow Holder for the Refunded Bonds. Accrued interest on the Refunding Bonds shall be paid to the County to be expended to pay interest on the Refunding Bonds. Such proceeds as are deposited in the escrow deposit fund to be created and established pursuant to the Escrow Contract, whether in the form of cash or investments, or both, inclusive of any interest earned from the investment thereof, shall be irrevocably committed and pledged to the payment of the principal of and interest on the Refunded Bonds in accordance with Section 90.10 of the Local Finance Law, and the holders, from time to time, of the Refunded Bonds shall have a lien upon such moneys held by the Escrow Holder. Such pledge and lien shall become valid and binding upon the issuance of the Refunding Bonds and the moneys and investments held by the Escrow Holder for the Refunded Bonds in the escrow deposit fund shall immediately be subject thereto without any further act. Such pledge and lien shall be valid and binding as against all parties having claims of any kind in tort, contract or otherwise against the County irrespective of whether such parties have notice thereof.

Section 8. Notwithstanding any other provision of this resolution, so long as any of the Refunding Bonds shall be outstanding, the County shall not use, or permit the use of, any proceeds from the sale of the Refunding Bonds in any manner which would cause the Refunding Bonds to be an “arbitrage bond” as defined in Section 148 of the Internal Revenue Code of 1986, as amended, and, to the extent applicable, the Regulations promulgated by the United States Treasury Department thereunder.

Section 9. In accordance with the provisions of Section 53.00 and of paragraph h of Section 90.10 of the Local Finance Law, in the event such bonds are refunded, the County hereby elects to call in and redeem each Refunded Bond which the Director of Finance shall determine to be refunded at the earliest call date available. The sum to be paid therefor on such redemption date shall be the par value thereof, as provided in the Refunded Bond Certificate, and the accrued interest to such redemption date. The Escrow Holder for the Refunding Bonds is hereby authorized and directed to cause notice of such call for redemption to be given in the name of the County in the manner and within the times provided in the Refunded Bond Certificate. Such notice of redemption shall be in substantially the form attached to the Escrow Contract. Upon the issuance of the Refunding Bonds, the election to call in and redeem the callable Refunded

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VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Bonds and the direction to the Escrow Holder to cause notice thereof to be given as provided in this paragraph shall become irrevocable, provided that this paragraph may be amended from time to time as may be necessary in order to comply with the publication requirements of paragraph a of Section 53.00 of the Local Finance Law, or any successor law thereto.

Section 10. The Refunding Bonds shall be sold at public or private sale to such underwriter as may be selected by the Director of Finance (the "Underwriter") for purchase prices to be determined by the Director of Finance, plus accrued interest from the date or dates of the Refunding Bonds to the date or dates of the delivery of and payment for the Refunding Bonds. Subject to the approval of the terms and conditions of any such private sale by the State Comptroller as required by Section 90.10 of the Local Finance Law, the Director of Finance is hereby authorized to execute and deliver a purchase contract for the Refunding Bonds in the name and on behalf of the County providing the terms and conditions for the sale and delivery of the Refunding Bonds to the Underwriter. After the Refunding Bonds have been duly executed, they shall be delivered by the Director of Finance to the Underwriter in accordance with said purchase contract upon the receipt by the County of said purchase price, including accrued interest.

Section 11. The Director of Finance and all other officers, employees and agents of the County are hereby authorized and directed for and on behalf of the County to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby.

Section 12. All other matters pertaining to the terms and issuance of the Refunding Bonds shall be determined by the Director of Finance and all powers in connection thereof are hereby delegated to the Director of Finance.

Section 13. The validity of the Refunding Bonds may be contested only if:

- (a) such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- (b) the provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- (c) such obligations are authorized in violation of the provisions of the Constitution.

Section 14. A summary of this resolution, which takes effect immediately, shall be published in the official newspapers of said County, together with a notice of the Clerk of the Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Probation DCJS Employment Focused Services Grant

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, Chautauqua County has been awarded funds from the New York State Division of Criminal Justice Services Employment Focused Services program with an award amount of \$216,880.00 effective January 1, 2022 to December 31, 2022; and

WHEREAS, the grant objective is to provide employment focused services to probation offenders with the goal of reducing recidivism by assessing and addressing all barriers to employment; and

WHEREAS, employment of justice-involved individuals provides daily structure, a source of financial support and self-sufficiency, as well as a pro-social environment, all of which has a positive influence on the risk of reoffending; and

WHEREAS, the Probation Department has included these grant funds in the 2022 Adopted Budget; now, therefore be it

RESOLVED, That the County of Chautauqua accept the aforementioned grant and that the County Executive be authorized to execute the Employment Focused Services grant contract with the New York State Division of Criminal Justice Services (DCJS) and such other documents as may be required, for the term January 1, 2022 to December 31, 2022.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

NMG 10/15/21
KMD 10/20/21
TMT 10/20/21
SMA 10/20/21
KLC 10/20/21

TITLE: Emergency Services 2021 Budget Adjustment

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, appropriations for Emergency Services' EMT/CPR Training Department has exceeded initial budgetary estimates; and

WHEREAS, the Emergency Services' EMT/CPR Training 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 ACCOUNT:

A.3989.EMT.4	Contractual--Emergency Medical Service, EMT/CPR Training	\$10,750
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INCREASE REVENUE ACCOUNT:

A.3989.EMT.R168.9EMT	Departmental Income— Oth PH Inc: EMT Private Pay Tuition	\$10,750
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 41-12, the County entered into an agreement with Christopher Cannon for the ten (10) year lease of a one (1) acre parcel of land for a radio and microwave tower for the County Radio System at a rate of \$7,665 per year, that expires on 12/31/2021; and

WHEREAS, such lease allows for a ten (10) year renewal on mutually satisfactory terms, which the Sheriff's Office has tentatively negotiated; and

WHEREAS, such lease is necessary for the continued operation and maintenance of the radio and microwave tower for the County Radio System; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized and empowered to execute a lease agreement with Christopher Cannon for a renewal ten (10) year term at \$9,200 per year.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Execution of NYS Office of Homeland Security Funding Grant—Operation Stonegarden FY21

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, the County Sheriff's Office received notice that the State of New York Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services Program Grant for the further implementation Operation Stonegarden; and

WHEREAS, the State of New York will provide funding for a FY21 grant in the amount of \$103,300, with no local funds, for a contract period of September 1, 2021 through August 31, 2024; and

WHEREAS, this grant is included in the 2022 Budget so no budget amendment is needed; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant

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 Office of Homeland Security approved the application submitted to the Office of Homeland Security and Emergency Services for continued implementation of the State Law Enforcement Terrorism Prevention Program (SLETPP); and

WHEREAS, the State of New York will provide funding in the amount of \$42,678 with no local funds required for the contract period from September 1, 2021 to August 31, 2024; and

WHEREAS, this grant is included in the 2021 and 2022 budgets so no budget amendment is needed; now therefore be it

RESOLVED, That the Chautauqua County Executive is authorized to execute the appropriate agreement with the New York State Office Homeland Security and Emergency Services.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

BY: Public Safety 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, 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, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the ARPA working group, the County Executive, and the County Legislature and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, the New Handguns project(s), identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project(s); therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2021 Adopted Budget in order to implement the New Handguns project(s):

INCREASE APPROPRIATION ACCOUNT:

A.3110.----.4	Contractual—Sheriff		<u>\$88,968</u>
	Total		<u>\$88,968</u>

ESTABLISH & INCREASE REVENUE ACCOUNTS:

A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA		\$52,412
A.3110.----.R226.0000	Shared Services – Chrgs: Oth Gov-Pub Safety		<u>\$36,556</u>
	Total		<u>\$88,968</u>

APPROVED

VETOES (VETO MESSAGE ATTACHED)

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 while some appropriations have a surplus; and

WHEREAS, the Office of the Sheriff will receive revenues to offset said additional expenses; 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.3110.GRNT.1	Personal Services – Sheriff, Sheriff Grants	\$20,884
A.3110.GRNT.4	Contractual – Sheriff, Sheriff Grants	\$11,521
A.3110.GRNT.8	Employee Benefits – Sheriff, Sheriff Grants	\$5,972
A.3189.3111.4	Contractual – Other Law Enforcement - Navigation	<u>\$3,700</u>
	Total	\$42,077

DECREASE APPROPRIATION ACCOUNT:

A.3189.3111.8	Employee Benefits – Other Law Enforcement – Navigation/Snowmobile	\$3,700
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INCREASE REVENUE ACCOUNTS:

A.3110.GRNT.R438.9000	Federal Aid – Other Public Safety Aid	\$5,721
A.3110.GRNT.R438.90SG	Federal Aid – Operation Stone Garden	<u>\$32,656</u>
	Total	\$38,377

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

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

BY: Human Services and Audit & Control Committees:

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

WHEREAS, 2021 expenditures for Personal Services and Employee Benefits for Public Health Administration - Nursing are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 expenditures for Personal Services and Employee Benefits for Public Health Administration, Other Public Health Programs - Lead Testing and 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 ACCOUNTS:

A.4010.NURS.1	Personal Services— Public Health Admin- Nursing	\$275,000
A.4010.NURS.8	Employee Benefits— Public Health Admin- Nursing	<u>\$ 50,000</u>
	Total	\$325,000

DECREASE APPROPRIATION ACCOUNTS:

A.4010.----.1	Personal Services— Public Health Admin	\$100,000
A.4010.----.8	Employee Benefits— Public Health Admin	\$ 30,000
A.4189.LEAD.1	Personal Services— Other Public Health Progs, Lead Testing	\$ 50,000
A.4189.LEAD.8	Employee Benefits— Other Public Health Progs, Lead Testing	\$ 3,000
A.6010.----.1	Personal Services— Social Services Admin	\$125,000
A.6010.----.8	Employee Benefits— Social Services Admin	<u>\$ 17,000</u>
	Total	\$325,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs

BY: Human Services and Audit & Control Committees:

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

WHEREAS, 2021 expenditures for Social Services Administration equipment are now projected to be in excess of the budgeted amount; and

WHEREAS, 2021 contractual expenditures for State Training School are now projected to be lower 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.6010.----.2	Equipment-- Social Services Admin	\$ 9,400
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DECREASE APPROPRIATION ACCOUNT:

A.6129.----.4	Contractual—State Training School	\$ 9,400
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

DLM 9/29/21
KMD 09/29/21
ABC 09/29/21
SMA 09/29/21
KLC 9/30/21

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Co-Fund Lake Erie Weed Harvester

BY: Planning & Development and Audit & Control Committees:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Legislators Bob Bankoski and Kevin Muldowney:

WHEREAS, Lake Erie is an invaluable economic asset to Chautauqua County, but excessive weed growth and floating trash is negatively impacting the aesthetics and usability of the beaches, marinas, and docking facilities located in the vicinity of Dunkirk Harbor; and

WHEREAS, the City of Dunkirk has invested \$45,000 to acquire a weed harvester and conveyor and intends to implement a lake maintenance program that will improve the aesthetics and usability of the beaches, marinas, and docking facilities located in Dunkirk Harbor by harvesting weeds and collecting floating trash; and

WHEREAS, the City of Dunkirk is developing a plan to service and maintain the weed harvester and conveyor and will include funding in its annual budget to fund a lake maintenance program throughout Dunkirk Harbor; and

WHEREAS, Chautauqua County supports lake maintenance programs on Chautauqua Lake, Findley Lake, Cassadaga Lakes, and Bear Lake with revenues sourced from the 2% Occupancy Tax for Lakes and Waterways; and

WHEREAS, the City of Dunkirk has requested a one-time reimbursement of \$20,000 from the 2% Occupancy Tax Program for Lakes and Waterways to reduce its initial investment in the weed harvester and conveyor; and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of \$227,134 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$20,000 from the 2% Occupancy Tax Program Reserve to reimburse the City of Dunkirk for its initial investment in the weed harvester and conveyor, pending receipt of acceptable documentation from the City of Dunkirk evidencing purchase of said equipment and a copy of its lake maintenance program; 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	\$20,000
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; 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	\$20,000
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APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive	Date
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JMR 10/26/21
KMD 10/26/21
SMA 10/26/21
KLC 11/04/21
PMW 11/4/21

LOCAL LAW
INTRODUCTORY NO. 3-21
CHAUTAUQUA COUNTY

AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN
FOR COUNTY OFFICERS AND EMPLOYEES

BE IT ENACTED, by the Chautauqua County Legislature of the County of Chautauqua,
New York, as follows:

Section 1. 2022 Adjustment of Salary Ranges.

Effective January 1, 2022, the management salary ranges established pursuant to Local Law 7-90, as amended, shall be further adjusted to reflect an increase of 3.0%, except for positions with designated flat salaries. The maximum level of the salary range shall be a cap on the amount which may be paid for a full year of service.

Section 2. Effective Date.

This local law shall become effective upon filing with the Secretary of State.