

CHAUTAUQUA COUNTY LEGISLATURE

11/17/2021

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This meeting is open to the public and subject to all current COVID-19 guidelines.

Chautauqua County Legislature

6:30 p.m.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR RANKIN

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 10/27/21

PRIVILEGE OF THE FLOOR

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

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 10/27/2021**

COMMUNICATIONS:

- 1. Letter – Resignation - L.J. Foster as Committee Secretary/Chaut. Co. Legislature**
 - 2. Report – Small Business Development Center – Quarterly Report**
 - 3. Report – Small Business Development Center – Business Permit Center – Quarterly Report**
-

LOCAL LAW INTRO. 3-21 – A Local Law Amending Local Law 7-90 Providing for a Management Salary Plan for county Officers and Employees

RESOLUTIONS:

- 244-21 Confirm Re-Appointments – North Chautauqua Lake Sewer District Board**
- 245-21 Amend 2021 Budget to Implement the LED Lighting Retrofit for Various County Owned Buildings**
- 246-21 Authorizing Lease of Office Space in the City of Dunkirk**
- 247-21 Probation DCJS Employment Focused Services Grant**
- 248-21 Emergency Services 2021 Budget Adjustment**
- 249-21 Authorize Lease of Property for Ten (10) Years from Christopher Cannon for Chautauqua County Radio System**

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- 250-21 Authorize Execution of NYS Office of Homeland Security Funding Grant Operation Stonegarden FY21**
- 251-21 Authorize Execution of NYS Office of Homeland Security FY21 State Law Enforcement Terrorism Prevention Program Grant**
- 252-21 Amend 2021 Budget for Office of the Sheriff**
- 253-21 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Personal Services and Employee Benefits Costs**
- 254-21 Amend Chautauqua County Health & Human Services 2021 Adopted Budget for Increased Equipment Costs**
- 255-21 Co-Fund Lake Erie Weed Harvester**
- 256-21 2022 County Sponsorship Contribution for JCC**
- 257-21 Standard Workday and Reporting Resolution**
- 258-21 Amend 2021 Budget to Implement the Upgrades to County Trails Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 259-21 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**
- 260-21 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Dunkirk Airport**
- 261-21 Authorize Acceptance of American Rescue Plan Act of 2021 (ARPA) Grant to Provide Economic Relief for Chautauqua County Jamestown Airport**
- 262-21 Amend 2021 Budget to Implement the New Handguns Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 263-21 Environmental Review for Occupancy Tax for Lakes & Waterways Grant Projects Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 264-21 Amend 2022 Budget to Implement the Digitization of County Records Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 265-21 Distribution of Mortgage Taxes**
- 266-21 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**
- 267-21 A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of \$5,509,151, and Authorizing the Issuance of \$4,986,000 in bonds of said County to pay costs thereof**
- 268-21 Making Appropriations for the Conduct of County Government For Fiscal Year 2022**
- 269-21 Authorize Tax Levy**
- 270-21 Authorize Levy of Town Taxes**
- 271-21 Authorize Levy of Unpaid Town Charges**

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- 272-21 Authorize Levy of Omitted Taxes**
 - 273-21 Authorize Tax Levy – North Chautauqua Lake Sewer District**
 - 274-21 Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer Districts**
 - 275-21 Authorize Levy of Unpaid Sewer User Charges & Civil Penalties- North, South & Center Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts**
 - 276-21 Fixing Equalization Rates for 2022**
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MOTION:

- A. Urging Continuation of the Longstanding Practice of Combining the New York State Southern Tier Counties in a Single Congressional District**
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ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

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.

Sponsor: Legislator Scudder

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RES. NO. 244-21

Confirm Re-Appointments – North Chautauqua Lake Sewer District Board

By Public Facilities Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the North Chautauqua Lake Sewer District was established as a County Sewer District by Resolution 86-75, as amended, and Resolution 37-76; and

WHEREAS, Pursuant to County Law §261 and County Resolution 38-76, as amended by Resolutions 263-19 and 148-21, the District is administered by a board consisting of six (6) members, five (5) of whom are appointed by the County Legislature and serve six year terms, and one (1) of whom is appointed by the Chairman of the County Legislature and serves at the pleasure of the Chairman of the County Legislature; and

WHEREAS, the North Chautauqua Lake Sewer District Board has recommended the following re-appointments; therefore be it

RESOLVED, That the Legislature re-appoints the following individuals to the North Chautauqua Lake Sewer District Board:

Suzanne K. Aldrich
6561 Lighthouse Point Rd.
Mayville, N.Y. 14757
Term Expires: 12/31/27

Martin Bova Jr.
38 Maple Drive East
Mayville, N.Y. 14757
Term Expires: 12/31/27

Marilyn Scarpino
4410 Canterbury Drive
Mayville, N.Y. 14757
Term Expires: 12/31/27

Signed: Nazzaro, Gould, Hemmer, Davis, Scudder

RES. NO. 245-21

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
; and be it further

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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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Signed: Nazzaro, Scudder, Davis, Hemmer, Niebel, Gould, Harmon (P.F. Carried with Legislator Gould Voting “No”)

RES. NO. 246-21

Authorizing Lease of Office Space in the City of Dunkirk

At the Request of County Executive Paul M. Wendel, Jr. and Legislator John Hemmer
WHEREAS, the County desires to lease from Agricultural Land Holdings, LLC

approximately 10,000 square feet on the first floor located at 60-62 Franklin Ave, in the City of Dunkirk, for use by the Chautauqua County Departments of Probation and Mental Hygiene; and

WHEREAS, negotiations have been undertaken to obtain a lease agreement mutually beneficial to the County and Agricultural Land Holdings, LLC; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Agricultural Land Holdings, LLC, upon substantially the following terms and conditions:

1. Premises. Approximately 10,000 square feet of office space on the first floor of the property located at 60-62 Franklin Avenue in the City of Dunkirk.
2. Term. December 1, 2021 through November 30, 2026.
3. Base Rent. Annual rate of \$13 per square foot, to be increased by 2% per year.
4. Build-Outs. Up to \$60,000 payable at a rate of up to \$1,000 per month during the lease term.
5. Snowplowing, Shoveling, and Salting. Annual rate of \$0.30 per square foot of leased premises, at the option of the County.
6. Cleaning Services. Annual rate of \$1.50 per square foot of leased premises, at the option of the County.
7. Parking Lot Sealing and Striping. As needed, at a rate of \$.25 per square foot of leased premises, but not more frequently than every other year.
8. Taxes, Building Security, and Utilities. Landlord shall be responsible for all taxes, building security, and utilities attributable to the leased premises, including water, sewer, gas, and electricity. County is responsible for the cost of its phone and internet services, including installation fees.
9. Other. As negotiated by the County Executive.

Signed:

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RES. NO. 247-21

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.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

RES. NO. 248-21

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

INCREASE REVENUE ACCOUNT:

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

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

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RES. NO. 249-21

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.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

RES. NO. 250-21

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.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

RES. NO. 251-21

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.:

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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.

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

RES. NO. 252-21
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

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

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RES. NO. 253-21

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

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Lawton, Rankin, Pavlock, Whitney

RES. NO. 254-21

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:

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INCREASE APPROPRIATION ACCOUNT:

A.6010.----.2 Equipment-- Social Services Admin \$ 9,400

DECREASE APPROPRIATION ACCOUNT:

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

Signed: Niebel, Gould, Harmon, Nazzaro, Whitford, Lawton, Rankin, Pavlock, Whitney

RES. NO. 255-21

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~~ to allow an allocation of an additional \$20,000 for the future operation and maintenance of the equipment; 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,~~ to allow an allocation of an additional \$20,000 for the future operation and maintenance of the equipment, 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:

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INCREASE THE USE OF FUND BALANCE:

A.-----889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway \$20,000

; 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
Signed: Niebel, Harmon, Rankin, Starks, Muldowney, Lawton, Penhollow (A.C. – Defeated w/
Legislators Gould and Nazzaro Voting “No”)(P.E.D – Amended by strike through and new
language underlined)

RES. NO. 256-21

2022 County Sponsorship Contribution for JCC

By Administrative Services and Audit & Control Committees:

At the Request of Chairman Pierre Chagnon and Legislator Charles Nazzaro:

WHEREAS, Chautauqua County is one of three regional sponsors for Jamestown Community College (“JCC”); and

WHEREAS, the County and JCC desire to set a lower floor and upper floor for the County’s 2022 sponsorship contribution; now therefore be it

RESOLVED, That the County’s 2022 sponsorship contribution to JCC shall have a lower floor of \$4,211,270 and an upper floor of \$4,316,725, with the actual 2022 amount to be confirmed by the County Legislature on or before the County Legislature’s regular meeting in February 2023.

Signed: Starks, Muldowney, Davis, Vanstrom, Scudder, Niebel, Gould, Harmon, Nazzaro

RES. NO. 257-21

Standard Workday and Reporting Resolution

By Administrative Services Committee:

At the Request of Chairman Pierre Chagnon:

BE IT RESOLVED, That the County of Chautauqua hereby establishes the following standard work days for these titles, as set forth in the attached schedule, and will report the officials to the New York State and Local Retirement System based on time keeping system records or their record of activities:

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Name	Social Security Number	NYSLRS ID	Title	Current Term Begin & End Dates	Standard Work Day	Record of Activities Result	Not Submitted	Pay Frequency	Tier 1
Elected Officials:									
Robert Scudder			Legislator	1/1/2020-12/31/2021	6	6.09		Bi-Weekly	
Appointed Officials:									
Tracey Brunecz			First Assistant District Attorney	1/5/2021-12/31/2024	7	25.73		Bi-Weekly	
Jordan Humphreys			Assistant Public Defender	2/20/2020-12/31/2021	7	22.81		Bi-Weekly	
Rachel Mitchell			Assistant District Attorney	3/2/2021-12/31/2024	7	20.62		Bi-Weekly	
Ana Marija Morgan			Assistant Public Defender	6/4/2021-12/31/21	7	23.52		Bi-Weekly	
Kristy Woodfield			Second Assistant Public Defender	2/4/2021-12/31/2021	7	22.34		Bi-Weekly	

Signed: Starks, Muldowney, Davis, Vanstrom, Scudder

RES. NO. 258-21

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

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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 projects; and

WHEREAS, through the coordination, recommendations, and input between the Department of Public Facilities, Department of Planning and Development, the Chautauqua County Greenway Group, and Chautauqua County Parks Commission, a sound plan has been established to expend the \$250,000; and

WHEREAS, out of the \$250,000 ARPA Trails funds, \$125,000 will be directed to the Department of Public Facilities and \$125,000 will be directed to Chautauqua Region Economic Development Corporation; and

WHEREAS, of the funding directed to the Department of Public Facilities, approximately \$56,000 will be used for materials for in-house trail repairs such as lumber for bridges, culverts, waterway access points, and sign-in boxes; approximately \$29,000 will be used for equipment replacements for items such as chainsaws, brushsaws, Jon Boat, trailer, motor, and ATV; and approximately \$40,000 will be used for improvements to County parks projects such as Luensman restrooms; and

WHEREAS, of the funding directed to the Chautauqua Region Economic Development Corporation, approximately \$29,500 will be used for materials such as lumber for kiosks, trail signs, mile markers, metal maps, and culverts; and approximately \$95,500 will be used for improvements to the County's Overland trails, as well as other trail recommendations within the Chautauqua County Greenway Plan; 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.7110.25002.4	Contractual—Parks, Parks Capital Improvements (2018)	\$ 85,000
H.7110.25828.4	Contractual—Parks, Luensman Park Rest Rooms (2014)	\$ 40,000
H.8020.37010.4	Contractual—Planning, Trail Development (2020)	\$125,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	<u>\$250,000</u>
	Total	\$500,000

INCREASE REVENUE ACCOUNTS:

H.7110.25002.R503.1000	Interfund Transfers—Interfund Transfer	\$ 85,000
H.7110.25858.R503.1000	Interfund Transfers—Interfund Transfer	\$ 40,000
H.8020.37010.R503.1000	Interfund Transfers – Interfund Transfer	\$125,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid ARPA Funds	<u>\$125,000</u>
	Total	\$500,000

Signed: Niebel, Gould, Harmon, Rankin, Starks, Muldowney, Penhollow, Lawton (P.F./P.E.D./A.C. Amended by Substitution)

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RES. NO. 259-21

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

By Public Facilities 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 HVAC/Indoor Quality Improvements for County-owned Properties project, which includes a new chiller that serves HRC, GOB, the Court House and the Jail (approximately \$391,000) and Indoor Air Quality Units / associated controls (approximately \$249,000), is 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 HVAC/Indoor Quality Improvements for County-owned Properties project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

H.1620.25216.4	Contractual—Buildings & Grounds,		
		HVAC Improvements (2021)	
		GOB Heating Sys. Repairs (2021)	\$ 640,000
A.9950.----.9	Interfund Transfers----Transfer to Capital		<u>\$ 640,000</u>
		Total	\$1,280,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.1620.25216.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$ 640,000
A.9950.----.R408.9ARP	Interfund Transfers – Oth Fed Aid: ARPA	<u>\$ 640,000</u>
	Total	\$1,280,000

Signed: Nazzaro, Gould, Hemmer, Davis, Scudder, Niebel, Harmon

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 260-21

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 APPROPRAITION 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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Signed: Nazzaro, Gould, Scudder, Hemmer, Davis, Niebel, Harmon

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RES. NO. 261-21

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 Jamestown 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 Jamestown 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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Signed: Nazzaro, Gould, Davis, Scudder, Hemmer, Niebel, Harmon

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RES. NO. 262-21

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	\$88,968

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	\$88,968

Signed: Gould, Niebel, Harmon, Nazzaro, Whitford, Bankoski, Hemmer, Pavlock

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RES. NO. 263-21

Environmental Review for Occupancy Tax for Lakes & Waterways Grant Projects Within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Planning & Economic Development Committee:

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 Occupancy Tax Bolster project was included as one of the priority projects approved in the Plan; and

WHEREAS, pursuant to Resolution 231-21, the 2021 Occupancy Tax Program Budget was amended to include \$800,000 of ARPA funding, and \$400,000 of said funding was designated to restore the programming for the 2020 and 2021 Chautauqua County 2% Occupancy Tax Grant Program for Lakes & Waterways and the implementation of following projects; and

Project/Agency or Organization	Rank	SEQR Determination
Chautauqua (Town)	2020-6	RES 189-19
Boat Stewards	2020-7	RES 189-19
Lighthouse Point	2020-8	RES 235-19
Morse	2020-9	RES 235-19
Park	2020-10	RES 235-19
Cooney Green Infrastructure	2020-11	Type II Action
Lakewood Grandview	2021-1	RES 177-20
CWC Lake Friendly Lawn Care	2021-2	RES 177-20
Rice Tim	2021-3	RES 177-20

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O'Brien	2021-4	RES 177-20
Mud Creek 2	2021-5	RES 177-20
Sunset Bay HOA	2021-6	RES 177-20
Pomfret Salt Storage	2021-7	RES 177-20
Stark Chautauqua Lake Shoreline	2021-8	RES 177-20

WHEREAS, the Environmental Review required by 6 NYCRR Part 617 of the Environmental Conservation Law was previously completed for thirteen of fourteen Chautauqua County Occupancy Tax Program for Lakes and Waterways projects that are ready for implementation and memorialized in Resolutions 189-19, 235-19 and 177-20; and

WHEREAS, the Environmental Review was completed for the remaining Cooney Green Infrastructure Project, which was determined to be a Type II Action in accordance with 6 NYCRR Part 617.5 (c)(a); and

WHEREAS, the County has reviewed and analyzed the Short Environmental Assessment Form (SEAF) for each of the fourteen projects eligible for ARPA funding, and considered any relevant areas of environmental concern and probable environmental impacts of the Actions to determine if the Actions may have any significant adverse environmental effects; now therefore be it

RESOLVED, That the County has determined that implementation of the fourteen projects eligible for ARPA funding will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and the implementing regulations found at 6 N.Y.C.R.R. Part 617; 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.

Signed: Harmon, Rankin, Starks, Muldowney, Lawton, Penhollow

RES. NO. 264-21

Amend 2022 Budget to Implement the Digitization of County Records Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Administrative Services 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

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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 Digitization of County Records project, identified as one of the priority projects recommended in Resolution 202-21, will be ready to proceed in 2022, will require work in both 2022 and 2023, and budget amendments are necessary to authorize the 2022 portion of the total project cost of \$40,432; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Digitization of County Records project:

INCREASE APPROPRIATION ACCOUNTS:

A.1460.----.1	Personal Services—Records Management	\$15,254
A.1460.----.4	Contractual—Records Management	\$ 3,300
A.1460.----.8	Employee Benefits—Records Management	<u>\$ 3,312</u>
	Total	\$21,866

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.1460.----.R408.9ARP	Federal Aid—Oth Fed Aid: ARPA	\$21,866
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Signed: Starks, Muldowney, Davis, Vanstrom, Scudder, Niebel, Gould, Harmon, Nazzaro

RES. NO. 265-21
Distribution of Mortgage Taxes

By Administrative Services and Audit & Control Committees:

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

RESOLVED, That the Clerk of the County Legislature of Chautauqua County be and hereby is authorized and directed to compute the amount of Mortgage Tax Monies due the various municipalities under Section 261 of the Tax Law and to draw the warrant or order on the Director of Finance for the distribution to said municipalities of all monies due pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

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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, 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

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(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

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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 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

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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 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

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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 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

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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.

Signed: Niebel, Gould, Harmon, Nazzaro

RES. NO. 267-21

A Resolution Authorizing Various Capital Projects in and for the County of Chautauqua, New York, at a total maximum estimated cost of \$5,509,151, and Authorizing the Issuance of \$4,986,000 in bonds of said County to pay costs thereof

By Audit & Control Committee:

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

WHEREAS, the Adopted 2020 and 2021 Capital Budgets included several capital projects funded by Serial Bonds; therefore be it

RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Chautauqua, New York, as follows:

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Section 1. The following capital projects and improvements are hereby authorized in and for the County of Chautauqua, New York:

- a) Various IT related improvements, including new enterprise software and upgrades to the IT Core Switch, at a maximum estimated cost of \$545,000, being a class of objects or purposes having a period of probable usefulness of five years pursuant to subdivision 32 of paragraph a of Section 11.00 of the Local Finance Law;
- b) Improvements to the Falconer Shop Fuel System, at a maximum estimated cost of \$128,000, being a specific object or purpose having a period of probable usefulness of ten years pursuant to subdivision 35 of paragraph a of Section 11.00 of the Local Finance Law;
- c) Replace roof and repointing at the DPF Administration building, at a maximum estimated cost of \$185,000, being a specific object or purpose having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law;
- d) Replace roofs at JCC, at a maximum estimated cost of to the County of \$156,000, being a class of objects or purposes having a period of probable usefulness of twenty-five years pursuant to subdivision 12(a)(1) of paragraph a of Section 11.00 of the Local Finance Law; and
- e) Purchase of heavy machinery and equipment, at a maximum estimated cost of \$4,495,151, being a class of objects or purposes having a period of probable usefulness of fifteen years pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 2. The plan for the financing of the aforesaid purposes consists of the issuance of \$4,986,000 bonds of said County, hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law, allocated as set forth above after the appropriation of available funds of \$28,000 and \$495,151 toward items (b) and (e), respectively.

Section 3. The faith and credit of said County of Chautauqua, New York, are hereby irrevocable pledged for the payment of the principal of and interest on such bonds as the same respectively 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 annually be levied on all the taxable real property of said County, a tax sufficient to pay the principal of and interest on such bonds as the same become due and payable.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 5. All other matters except as provided herein relating to the serial bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue serial bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal

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officer of such County. Such bonds shall contain substantially 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 consistent with the provisions of the Local Finance Law.

Section 6. The validity of such bonds and bond anticipation notes 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 7. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 8. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed: Niebel, Gould, Harmon, Nazzaro

RES. NO. 268-21

Making Appropriations for the Conduct of County Government For Fiscal Year 2022

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature has held public hearings on the 2022 tentative Budget and thereafter considered the budget, made changes therein and has presented the budget along with Resolution No. 243-21 listing the changes, to the County Executive for his consideration; and

WHEREAS, the County Executive has affixed his signature to Resolution No. 243-21 and has returned the same along with the budget and such statement regarding the budget and changes made thereon; and

WHEREAS, in accordance with Section 8.07 of the Administrative Code the Budget Director is authorized to make any corrections in the budget as may be required due to any typographical, mathematical or technical errors, after conditional adoption of the budget; and

WHEREAS, there is now adopted, pursuant to law, a County budget for the fiscal year beginning January 1, 2022; therefore be it

RESOLVED, That the total amount specified in such budget as adopted for all objects of expenditures set forth therein be and hereby are appropriated for such items.

Signed: Chagnon

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RES. NO. 269-21
Authorize Tax Levy

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there has been adopted a budget for the fiscal year of 2022 and

WHEREAS, this Legislature has made appropriations for the conduct of the County Government for the year 2022 therefore be it

RESOLVED, That this Legislature hereby levies:

1. Upon all the taxable property in the County, upon the valuation as equalized by it, the sum specified in said budget for all purposes chargeable to the entire county;
2. Upon all the taxable property in the Chautauqua County Social Services District, upon the valuation as equalized by it, the sum specified in said budget for Social Services purposes;
3. Upon all the taxable property liable therefore, the sum specified in the budgets for the Chautauqua County Health District;
4. Upon all the taxable property of the participating towns in respective amounts set out against each participant of the Chautauqua County Self-Insurance Plan in Resolution 155-21, adopted July 28, 2021.
5. Upon the property on which school taxes are uncollected as of November 30, 2022, the amount of such uncollected school taxes;
6. Upon the property on which village taxes are uncollected as of December 1, 2022, the amount of such uncollected village taxes;

Upon all the taxable property of the several towns and cities, upon the valuation as equalized by it any and all amount charged against any and all said towns and cities during the year 2022 pursuant to law or resolution of this Legislature.

Signed: Chagnon

RES. NO. 270-21
Authorize Levy of Town Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That there shall be assessed, levied upon and collected from the taxable real property situated in the Towns of Chautauqua County outside of any incorporated village wholly or partially located therein, the amounts to be raised by taxes for Highway Funds – Outside Village and other Part-Town Functions as specified in the Town Budgets and directed by the Town Boards to be raised; and be it further

RESOLVED, That there shall be assessed and levied upon and collected from the real property liable therefore within the respective Fire, Fire Protection, Fire Alarm, Lighting and Improvement Districts, in said Towns, the amounts for the purpose of such districts as shown and specified in annual budgets; and be it further

RESOLVED, That the amounts to be raised by tax for all other purposes as specified in said annual budgets shall be assessed levied upon and collected from the taxable property of said town as authorized by the Town Boards except as otherwise provided by law; and be it further

RESOLVED, That such taxes and assessments when collected shall be paid to the Supervisor of the several towns, to be distributed by them in the manner provided by law.

Signed: Chagnon

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RES. NO. 271-21

Authorize Levy of Unpaid Town Charges

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of the Legislature be directed to include in current tax rolls, all charges which may properly be a lien against real property when certified as due and unpaid by the Town Boards of the various towns in the County.

Signed: Chagnon

RES. NO. 272-21

Authorize Levy of Omitted Taxes

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Clerk of this Legislature be instructed to extend the proper tax for the previous year against any omitted tax properly entered upon any of the assessment rolls for the present year as directed by the respective Town Boards or County Legislature in which said property is located.

Signed: Chagnon

RES. NO. 273-21

Authorize Tax Levy – North Chautauqua Lake Sewer District

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Board of Directors of the North Chautauqua Lake Sewer District has prepared and presented an assessment roll of the year 2022 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2022 presented by the Board of Directors of the North Chautauqua Lake Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated therein.

Signed: Chagnon

RES. NO. 274-21

Authorize Tax Levy – Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District has prepared and presented an assessment roll for the year 2022 as required by Section 271 of the County Law; and

WHEREAS, the requirements of said law regarding availability of public inspection, notice of public hearing and public hearing has been complied with; now therefore be it

RESOLVED, That the assessment roll for the year 2022 presented by the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District in accordance with Section 271 of the County Law is hereby affirmed and adopted as originally proposed and levied as stated herein.

Signed: Chagnon

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RES. NO. 275-21

Authorize Levy of Unpaid Sewer User Charges & Civil Penalties- North, South & Center
Chautauqua Lake & Portland-Pomfret-Dunkirk Sewer Districts

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the Director of Finance has transmitted a list of those residents or property owners within the county who are in arrears in the payment of charges made under Section 266 of the County Law for a period of 30 days or more after the last day fixed for payment of such charges without penalty in accordance with the requirements of Section 266 (3) of the County Law, and civil penalties outstanding pursuant to Chautauqua County Local Law 6-94; and

WHEREAS, this Legislature is mandated to levy such sums against the properties liable; now therefore be it

RESOLVED, That the county sewer charges and civil penalties contained in the list received by this body from the Director of Finance of Chautauqua County are hereby levied against the properties liable and the amount of such charges shall be stated in a separate column in the annual tax rolls of the various municipalities under the name of "County Sewer Charges" or "County Sewer Penalty".

Signed: Chagnon

RES. NO. 276-21

Fixing Equalization Rates for 2022

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution #216-96 the County of Chautauqua elected to establish Equalization Rates for the several towns and cities in the County of Chautauqua in accord with Title 2, Article 8 of the Real Property Tax Law; and

WHEREAS, the New York State Office of Real Property Services has completed its determination of the equalization rates to be utilized in apportioning the 2020 County Taxes; therefore be it

RESOLVED, That the following rates be fixed as the Chautauqua County Equalization rates for the 2021 tax rolls in the following towns and cities:

Arkwright	44.10%	Harmony	95.20%
Busti	93.2%	Jamestown, City	93.20%
Carroll	92%	Kiantone	95.20%
Charlotte	87.75%	Mina	99%
Chautauqua	100%	North Harmony	86.50%
Cherry Creek	83.75%	Poland	98%
Clymer	100%	Pomfret	15.50%
Dunkirk, Town	60%	Portland	47%
Dunkirk, City	73%	Ripley	96%
Ellery	89%	Sheridan	54%
Ellicott	100%	Sherman	99%
Ellington	100%	Stockton	98%
French Creek	99%	Villanova	45%
Gerry	88.40%	Westfield	70%
Hanover	77%		

Signed: Chagnon

CHAUTAUQUA COUNTY
MOTION NO. _____



TITLE: Urging Continuation of the Longstanding Practice of Combining the New York State Southern Tier Counties in a Single Congressional District

AT THE REQUEST OF: Chairman Pierre E. Chagnon:

WHEREAS, redistricting in the State of New York is the process of drawing new congressional and state legislative district boundaries wherein the process is completed every ten (10) years following the completion of the United State Census, and New York’s 26 United States Representatives and 213 State Legislators are all elected from political divisions called districts; and

WHEREAS, federal law dictates that districts must have equal populations and must not discriminate on the basis of race or ethnicity; and

WHEREAS, New York State Law requires that State Legislative Districts be contiguous and compact, and must also take into account the “historic and traditional significance of counties;” and

WHEREAS, the history and tradition of Chautauqua County is that it has been included within a congressional district encompassing New York State’s Southern Tier Region; and

WHEREAS, the counties along New York State’s Southern Tier constitute a substantial community of interest, with a common and integrated regional economy; and

WHEREAS, the residents of the Southern Tier counties have common concerns about access to quality health care and the sustainability of rural health care providers; and

WHEREAS, the residents of the Southern Tier counties have unique concerns as they are part of the Appalachian Region and represented by the Appalachian Regional Commission; and

WHEREAS, the residents of the Southern Tier counties have different needs and priorities than the Buffalo and Niagara Falls regions and should not be included in the same Congressional district; and

WHEREAS, in 2014, New Yorkers voted to give the responsibility of redistricting to an Independent Redistricting Commission with input from citizens to devise the best possible redistricting plan; and

WHEREAS, citizen participation will help ensure that no region of the state, special interest or political party gains an unfair advantage in the redistricting process; and

WHEREAS, the Independent Redistricting Commission of New York State and the New York State Legislature should continue the State's longstanding practice of combining the Southern Tier counties in a single congressional district because they constitute a community of interest whose residents are best represented by having a unified voice in the United States House of Representatives; now therefore be it

KNOWN, That the Chautauqua County Legislature strongly urges the Independent Redistricting Commission of New York State and the New York State Legislature to make every effort to continue the State's longstanding practice of combining the Southern Tier counties in a single congressional district, and that district be extended as far east along the Southern Tier as is required to meet the federal requirements; and be it further

MOVED, That a certified copy of this motion be uploaded to the New York State Independent Redistricting Commission website, and sent to Senate Temporary President Andrea Stewart-Cousins, Senate Minority Leader Robert Ort, Assembly Speaker Carl Heastie, Assembly Minority Leader William Barclay, Senate Local Government Committee Chair James Gaughran, Assembly Local Government Committee Chair Fred Thiele, Senator George Borrello, Assemblyman Andrew Goodell, the New York State Association of Counties, and all others deemed necessary and proper.