

## Agenda

Public Facilities Committee

**December 6, 2021, 4:00 p.m., Legislative Chamber**

**Livestreamed on Facebook**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (11/08/21)
- C. Privilege of the Floor
  - 1. Proposed Resolution – Confirm Re-Appointments – Parks Commission
  - 2. Proposed Resolution – Confirm Appointment and Re-Appointments – North Chautauqua County Water District Administrative Board
  - 3. Proposed Resolution – Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District
  - 4. Proposed Resolution – Amend Landfill and Transfer Station User Fees
  - 5. Proposed Resolution – Amend 2021 Budget for MEP Grant Award
  - 6. Proposed Resolution – Amend Resolution 151-21: Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll
  - 7. Proposed Resolution – Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5762.56
  - 8. Proposed Resolution – Authorize Extension of Lease Agreement with G. H. Graf Building, LLC for Office Space in Dunkirk, New York

Other

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

PEC
-----

**TITLE:** Confirm Re-Appointments – Parks Commission

**BY:** Public Facilities Committee:

**AT THE REQUEST OF:** Chairman Pierre E. Chagnon and Legislator John Hemmer:

WHEREAS, Chairman Pierre E. Chagnon, has submitted the following re-appointments for action by the Legislature; now therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following re-appointments to the Parks Commission.

Robert Franzen  
393 Busti-Surgargrove Road  
Jamestown, N.Y. 14701  
Term Expires: 12/31/23

Judy Hunt  
PO Box 159  
Findley Lake, N.Y. 14736  
Term Expires: 12/31/23

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

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

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

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

PEC
-----

**TITLE**            Confirm Appointment and Re-Appointments – North Chautauqua  
County Water District Administrative Board

**BY:**                Public Facilities Committee:

**AT THE REQUEST OF:** Chairman Pierre E. Chagnon:

WHEREAS, the North Chautauqua County Water District Administrative Board has recommended the following appointment and re-appointments; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment and re-appointments to the North Chautauqua County Water District Administrative Board:

Appointment:

Richard Lascola  
265 Liberty Street  
Fredonia, NY 14063  
Term Expires: 12/31/2027

Re-appointments:

David Hazelton  
133 West Main St.  
Brocton, NY 14716  
Term Expires: 12/31/2027

Terry Niebel  
3199 E. Main Street  
Dunkirk, NY 14048  
Term Expires 12/31/2027

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

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

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

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



**TITLE:** Reestablish County Sewer Agency for Proposed Extension of North Chautauqua Lake Sewer District

**BY:** Public Facilities Committee:

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr. & Chairman Pierre Chagnon:

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS, a portion of the CLISMP recommendations included the upgrade, extension, and development of sewer infrastructure to replace existing septic systems on the west side of Chautauqua Lake; and

WHEREAS, a new development known as Mandolin Ridge is being constructed on the west side of Chautauqua Lake immediately outside the bounds of NCLSD, and the owner of the development has requested sewer service from the NCLSD; and

WHEREAS, other property owners in the immediate vicinity of the development may benefit from a district extension which incorporates their properties; and

WHEREAS, pursuant to County Law Sections 253 and 274, an existing county district may petition the county legislative body to include territory not previously included within its boundaries, and the existing county district may undertake to furnish or pay the cost of a map and plan for such extension at the district’s cost or expense; and

WHEREAS, the NCLSD Board has petitioned the Chautauqua County Legislature to extend the boundaries of NCLSD to include the new development and other properties in the immediate vicinity; and

WHEREAS, NCLSD will undertake to furnish or pay the cost of a map and plan to effectuate said extension of NCLSD; and

WHEREAS, pursuant to County Law Section 253, the County’s Sewer Agency must be reconvened in order to review the map and plan and make recommendations to the County Legislature regarding the proposed extension of NCLSD; and

WHEREAS, pursuant to Resolution 208-21 the County Sewer Agency was reestablished for purposes of evaluating an extension of the bounds of the SCCLSD; now therefore be it

RESOLVED, That the Chautauqua County Sewer Agency, reestablished by Resolution 208-21 pursuant to Article 5-A of the County Law, is further charged with reviewing the NCLSD map and plan and making recommendations to the County Legislature regarding the proposed extension of the NCLSD.

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

**TITLE:** Amend Landfill and Transfer Station User Fees

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

**AT THE REQUEST OF:** County Executive Paul M. Wendel, Jr. and Chairman Pierre E. Chagnon:

WHEREAS, the County operates a Landfill and several transfer stations that provide environmentally sound waste disposal services for County residents and businesses; and

WHEREAS, services are funded by user fees which, pursuant to Local Law 13-95, are to be based on projected costs of operation, market prices, and the nature and volume of refuse; and

WHEREAS, Landfill operational costs, including costs of handling and hauling transfer station waste, have experienced inflationary increases; and

WHEREAS, the Deputy Director in the DPF Division of Solid Waste has reviewed the current user charge schedule and, taking into consideration the factors specified in Local Law 13-95, recommends changes to user fees consistent with such inflationary increases; now therefore be it

RESOLVED, That the following Landfill user charge fee increases, as recommended by the Deputy Director in the DPF Division of Solid Waste, are approved, to be effective January 1, 2022:

TRANSFER STATION FEES:

- Construction & Demolition - Cubic Yard - From \$55.00 to \$60.00 per ton
- Construction & Demolition – Scaled Weight - From \$55.00 to \$60.00 per ton
- Municipal Solid Waste – Cubic Yard - From \$40.00 to \$42.00 per ton
- Municipal Solid Waste – Scaled Weight - From \$40.00 to \$42.00 per ton

LANDFILL FEES:

- Asbestos – Friable – From \$72.00 to \$80.00 per ton
- Asbestos – Non-friable – From \$36.50 to \$40.00 per ton
- Construction & Demolition – From \$36.50 to \$40.00 per ton
- Contaminated Soil – From \$26.00 to \$28.00 per ton
- Municipal Solid Waste – From \$29.50 to \$30.00 per ton
- Refractory & Annealing Sand – From \$21.50 to \$22.00 per ton
- Sludge – Industrial – From \$37.00 to \$38.00 per ton

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

**County Executive**

**Date**

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

**TITLE:** Amend 2021 Budget for MEP Grant Award

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

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

WHEREAS, the Chautauqua County Department of Public Facilities - CARTS received notice that the New York State (NYS) Department of Transportation approved the application submitted for the Modernization and Enhancement Program (MEP) grant; and

WHEREAS, the State of New York will provide funding for a FY 2020 grant in the amount of \$1,500,000.00, with no local funds, for Contract #20-25-21 for the performance period of 2021; and

WHEREAS, pursuant to Resolution 146-20, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Department of Transportation; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2021 capital budget; and

WHEREAS, this grant expands the scope of capital project H.5630.25211 Route Match Software (2021) to include additional technology improvements so the name of project should be changed to reflect the new scope; now therefore be it

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

**ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:**

H.5630.25226.4	Contractual—Bus Operations, Hybrid Trolleys (2021)	\$ 600,000
H.5630.25227.4	Contractual—Bus Operations, Rebranding (2021)	\$ 372,500
H.5630.25211.4	Contractual—Bus Operations, Technology Upgrades (2021)	\$ 400,999
H.5630.25228.4	Contractual—Bus Operations, Consultant Routes	<u>\$ 126,501</u>
	Total	\$1,500,000

**ESTABLISH & INCREASE REVENUE ACCOUNTS:**

H.5630.25226.R359.7000	NYS AID—Transp Capital	\$ 600,000
H.5630.25227.R359.7000	NYS AID—Transp Capital	\$ 372,500
H.5630.25211.R359.7000	NYS AID—Transp Capital	\$ 400,999
H.5630.25228.R359.7000	NYS AID—Transp Capital	<u>\$ 126,501</u>
	Total	\$1,500,000

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

**BPB 11/19/21**

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

**TITLE:** Amend Resolution 151-21: Authorize Agreement for the Purchase and Removal of County Owned Timber from the Thomas Erlandson Park in the Town of Carroll

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

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

WHEREAS, pursuant to Resolution 151-21, the County of Chautauqua entered into an agreement to sell sawtimber located on approximately twelve acres at the Thomas Erlandson Overlook Park, SBLs 424.00-2-27, 424.00-2-28, 424.00-2-29, 425.00-1-44 and 425.00-1-45, with Marvin Troyer & Sons Lumber; and

WHEREAS, Resolution 151-21 stated that Marvin Troyer & Sons Lumber, 2059 Clymer-Sherman Road, Clymer, NY 14724 submitted the highest bid with an amount of \$10,250, but the actual bid amount was \$10,500; and

WHEREAS, the total sale amount payable to Chautauqua County is \$10,500, and pursuant to Resolution 164-02, revenue from the sale of timber rights will be dedicated to the capital improvements of the County Parks system; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

H.7110.25002.4 Contractual—Parks, Parks Capital Improvements (2018) \$250

INCREASE REVENUE ACCOUNT:

H.7110.25002.R265.2000 Sale of Property/Compensa—Sale of Forest Products \$250

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

<b>BPB 11/15/21</b>
---------------------

**TITLE:** Amend Resolution 152-21 Authorizing Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5762.56

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

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

WHEREAS, pursuant to Resolution 152-21 the Chautauqua County Legislature approved the project for Bridge Painting BINS 3324170, 3325940, and 3325830 (Project) with funding under Title 23 U.S. Code, as amended, which called for the apportionment of the costs of such Project, estimated to be \$315,000, to be borne at the ratio of 80% Federal funds (\$252,000), 15% State Marchiselli funds (\$47,250), and 5% Local funds (\$15,750); and

WHEREAS, Chautauqua County issued Invitation to Bid PW-4-21 DPF, the award was made to Erie Painting & Maintenance Inc., and now the Project has an expected cost of \$230,000; and

WHEREAS, the New York State Department of Transportation has issued a reduction in funding to reflect the low bid, with funding under title 23 U.S. Code, which now calls for the apportionment of the costs of the Project, now estimated to be \$230,000, to be \$184,000 Federal Funds, \$34,500 State Marchiselli funds, and \$11,500 local funds; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5762.56; and

WHEREAS, the local share is now reduced to \$11,500 and can be covered with existing funding in account D.5112.390, and the D.5112.390.4 Contractual – Capital Improvements, County Bridge Program can be reduced by \$4,250; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the above-subject Project; and it is further

RESOLVED, That the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and it is further

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary Agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, That this Resolution shall take effect immediately and that the Director of Finance is directed to make the following changes to the Capital Budget:

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

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

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



DECREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual – Capital Improvements, Funded Bridge Program	\$85,000
--------------	--	----------

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4	Contractual – Capital Improvements, County Bridge Program	\$ 4,250
--------------	--	----------

DECREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R458.9002	Federal Aid--Surface Transp Program	\$68,000
D.5112.389.R358.9003	New York State Aid--Marchiselli Funds	<u>\$12,750</u>
	Total	<u>\$80,750</u>

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

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

**TITLE:** Authorize Extension of Lease Agreement with G. H. Graf Building, LLC for Office Space in Dunkirk, New York

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

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

WHEREAS, pursuant to Resolution 215-11 the County of Chautauqua entered into a lease agreement with G. H. Graf Building, LLC (Landlord) for the lease of 20,200 square feet of office space in Dunkirk, New York, Agreement number 12-25-04; and

WHEREAS, the lease term ends December 31, 2021; and

WHEREAS, the County has entered into a lease with a different landlord for Dunkirk office space for County Probation and Mental Hygiene staff, and the new location will not be ready for occupation by January 1, 2022; and

WHEREAS, the County is exploring alternate work space for Department of Health and Human Services (DHHS) staff; and

WHEREAS, Landlord has agreed to an extension of the current lease agreement; and

WHEREAS, lease expenses are included in the 2022 budget; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized and empowered to execute an extension to the lease agreement with Landlord, and to execute all necessary documents relating thereto, upon the following terms and conditions:

1. Premises. 319-321 Central Avenue in Dunkirk, New York, Floors 1, 2 and 3
2. Term. Commencing January 1, 2022 and ending December 31, 2022.
3. Rent. \$1.696 per square foot per month (\$20.352 for 12 months), for square footage of office space actually occupied by County Departments, as determined on a month to month basis on the first day of the month for which rent is paid.
4. Utilities. Landlord shall be responsible for all utilities, including heat and electric. County shall be responsible for the maintenance of phone, data and security systems.
5. Other. As negotiated by the County Executive.

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

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

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