

CHAUTAUQUA COUNTY LEGISLATURE – ORGANIZATIONAL MEETING

01/3/2022

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Chautauqua County Legislature

4:00 P.M.

**CALL TO ORDER
ROLL CALL
PRAYER BY LEGISLATOR VANSTROM
PLEDGE OF ALLEGIANCE**

Swearing in New Legislators

**Nominations for Chairman of the Legislature
Seconding of Nominations
Roll Call Vote for Chairman
Clerk Tampio Announces Chairman**

ACCEPTANCE SPEECH BY CHAIRMAN

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.

COMMUNICATIONS:

- 1. Letter – Mark Odell, District 7 – Change in Residency**
- 2. Certificate to Fill Vacancy on County Legislature, District 7 – Penhollow**
- 3. Certificate of Acceptance to Fill Vacancy - Penhollow**

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(REPUBLICAN) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Republican party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2022 the POST JOURNAL as the Republican newspaper to publish the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law. Signed: Chagnon, Vanstrom, Scudder, Muldowney, Hemmer, Niebel, Gould, Pavlock, Davis, Rankin, Lawton

(DEMOCRATIC) DESIGNATE NEWSPAPER

We, the undersigned members of the Chautauqua County Legislature, and representing the Democratic party, one of the two principal parties into which the people of Chautauqua County are divided, do hereby designate for the year 2022 the OBSERVER as the Democratic newspaper to publish the concurrent resolutions, election notices and official canvas, all pursuant to Section 214, paragraph 1, of the County Law. Signed: Bankoski, Whitford

APPOINTMENT OF MAJORITY LEADER AND ASSISTANT

We, the undersigned being the Republican members of the Chautauqua County Legislature hereby designate Legislator Thomas Harmon as the Leader of the Chautauqua County Legislature for the year 2022 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint, as the Assistant Leader, Legislator Lisa Vanstrom
Signed: Chagnon, Vanstrom, Scudder, Muldowney, Hemmer, Niebel, Gould, Pavlock, Davis, Rankin, Lawton

APPOINTMENT OF MINORITY LEADER AND ASSISTANT

We, the undersigned being the Democratic members of the Chautauqua County Legislature hereby designate Legislator Robert Bankoski as the Leader of the Chautauqua County Legislature for the year 2022 in accordance with Local Law No. 6-1969 adopted on the 2nd day of January 1970. And appoint, as the Assistant Leader, Legislator Paul Whitford
Signed: Bankoski, Whitford

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RESOLUTIONS:

- 1-22 Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga**
- 2-22 Appointing Clerk of the Legislature**
- 3-22 Appointing Deputy Clerk/Secretary to the Legislature**
- 4-22 Confirm Appointment – Public Defender**
- 5-22 Designation of Official Newspapers – 2022**
- 6-22 Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law**

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.

CHAUTAUQUA COUNTY LEGISLATURE

01/03/2022

RES. NO. 1-22

Appointment of Johnathan R. Penhollow as Legislator from District 7, North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there exists a vacancy in the Chautauqua County Legislature, because Mark Odell, who was elected to the office of County Legislator for District 7 at the general election held November 2, 2021, has ceased to be a resident of Chautauqua County and therefore is ineligible to serve as County Legislator from District 7 pursuant to New York Public Officers Law Section 30(1)(d); and

WHEREAS, a Certificate of Recommendation has been received from the Legislative District 7 Committee, (North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga) recommending the appointment of Johnathan R. Penhollow, 5575 Fenner Road, Sinclairville, NY 14782; and

WHEREAS, a Certificate of Acceptance has been received from Johnathan R. Penhollow; now therefore be it

RESOLVED, That in accordance with Section 2.03 of the Chautauqua County Charter, Johnathan R. Penhollow is hereby appointed County Legislator from District 7, comprised of the North East Town of Chautauqua, Towns of Stockton & Portland and Villages of Brocton & Cassadaga.

Signed: Chagnon

Res. No. 2-22

Appointing Clerk of the Legislature

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That Olivia L. Lee, 55 North Main St., Cassadaga, New York, is hereby appointed Clerk of the Chautauqua County Legislature for the year 2022 for 100% time at an annual salary of \$45,500.00, effective January 4, 2022.

Signed: Chagnon

Res. No. 3-22

Appointing Deputy Clerk/Secretary to the Legislature

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That Kristi R. Zink, 8213 Griswold Road, Cassadaga, New York 14718, is hereby appointed Secretary to the Chautauqua County Legislature for the year 2022 at a salary of \$18.46 per hour, effective January 4, 2022; and be it further

RESOLVED, That in addition to Secretary to the Legislature, Kristi R. Zink be, and hereby is, appointed Deputy Clerk for the Chautauqua County Legislature for the year 2022, and shall be additionally compensated for her duties as Deputy Clerk at an annual salary of \$4,000, effective January 4, 2022.

Signed: Chagnon

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Res. No. 4-22

Confirm Appointment – Public Defender

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That Nathaniel L. Barone, II, 600-3 Baker St. Ext., Jamestown, New York, be and hereby is appointed Public Defender of Chautauqua County for two (2) years effective January 1, 2022, to be compensated as follows:

2022 – Annual base salary of \$86,126.54 for 100% time, with an additional salary supplement of \$62,625.25 to the extent of available grant funds received from the New York State Office of Indigent Legal Services (OILS) pursuant to Resolution 14-21.

2023 – Annual base salary of \$88,710.34 for 100% time, with an additional salary supplement subject to confirmation by the County Legislature to the extent of available grant funds received from OILS or another source.

Signed: Chagnon

Res. No. 5-22

Designation of Official Newspapers - 2022

At the Request of Chairman Pierre E. Chagnon:

RESOLVED, That the Post Journal, 15 West Second Street, Jamestown, NY and the Observer, 10 East Second Street, Dunkirk, NY be and hereby are designated, pursuant to Section 214, paragraph 2 of the County Law, to be the official newspapers of Chautauqua County during the year 2022 for the publication of all local laws, notices, and other matters required by law to be published.

Signed: Chagnon

Res. No. 6-22

Delegate Authority to Chairman of Legislature to Correct Errors on Tax Rolls and to Provide Refunds and Credits of Taxes Pursuant to Section 554 and 556 of the Real Property Tax Law

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Sections 554 and 556 of the Real Property Tax Law authorize a tax levying body to delegate its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less; and

WHEREAS, such delegation would only apply when the County's Director of Real Property Tax Services has investigated an application for correction, refund, or credit and recommended approval based upon that investigation; and

WHEREAS, the delegation of authority would afford the taxpayers of Chautauqua County a mechanism for prompt approval of such applications for correction, refund, or credit; now therefore be it

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RESOLVED, That pursuant to Sections 554 and 556 of the Real Property Tax Law, the County Legislature hereby delegates to the Chairman of the Legislature its authority to correct errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less; and be it further

RESOLVED, That pursuant to the delegation of authority granted herein, the Chairman of the Legislature is hereby empowered to authorize such correction of errors on tax rolls and to provide refunds and credits of taxes where the recommended correction, refund, or credit is Twenty Five Hundred Dollars (\$2,500.00) or less, without prior audit by the County Legislature; and be it further

RESOLVED, That this resolution will be in effect from this date until December 31, 2022.

Signed: Chagnon
