

CHAUTAUQUA COUNTY LEGISLATURE

1/26/2022

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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 WHITFORD

PLEDGE OF ALLEGIANCE

**APPROVAL OF THE MINUTES FOR 12/15/2021 &
01/03/2022**

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 12/15/2021 & 01/03/2022**

COMMUNICATIONS:

- 1. Report – Chautauqua County Board of Elections – 2021 Mail Check Certification**
- 2. Letter – Chautauqua County Board of Elections – Action Plan for 2022 Year**
- 3. Letter – County Attorney – Legal Services for County Legislature - 2022**
- 4. Letter – NYS Department of State – Acknowledgement of Local Law 5-21**
- 5. Affidavit of Publication – Re: LL 5-21 – Amending Local Law 7-90 – Post Journal**
- 6. Affidavit of Publication – Re: LL 5-21 – Amending Local Law 7-90 – Observer**
- 7. Affidavit of Publication – Re: Intro LL 4-21– Amending Local Law 7-90 – Post Journal**
- 8. Affidavit of Publication – Re: Intro LL 4-21– Amending Local Law 7-90 – Observer**
- 9. Letter – NYS Agriculture and Markets – Correction of Errors**
- 10. Letter – Senator George Borrello – Acknowledgement of Motions 4-21 & 5-21**
- 11. Report – Finance Director Crow – September 2021 Investment Report**
- 12. Report – Finance Director Crow – October 2021 Investment Report**
- 13. Report – Finance Director Crow –November 2021 Investment Report**
- 14. Minutes – Conewango Watershed Commission – January 12, 2022 Meeting**

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RESOLUTIONS:

- 7-22 Confirm Re-Appointment – Agriculture & Farmland Protection Board**
- 8-22 Confirm Appointment – Food Policy Council**
- 9-22 Confirm Appointment – Southern Tier West Regional Planning & Development Board**
- 10-22 Confirm Appointment- Chautauqua County Visitors Bureau Board of Directors**
- 11-22 Confirm Re-Appointment - Chautauqua County Planning Board**
- 12-22 Confirm Appointments and Re-Appointments – Chautauqua County Fire Advisory Board**
- 13-22 Confirm Appointments and Re-Appointments – Chautauqua County Emergency Medical Services Council**
- 14-22 Confirm Appointments and Re-Appointments – Airports Commission**
- 15-22 Confirm Re-Appointments – North County Industrial Water District No. 1 & North County Industrial Sewer District No. 1 Boards**
- 16-22 Appointing Reapportionment Commission for 2020 Census**
- 17-22 Amend 2022 Budget to Implement the Repair and Rehabilitation of the NCIWD#1 Water Storage Tank Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**
- 18-22 Authorize Supplemental Agreement No.1 with NY State DOT for Performance of Federal-Aid Project PIN 5761.82**
- 19-22 Authorize Extension of Tax Collection Agreements with the Cities of Dunkirk and Jamestown**
- 20-22 Modify Accounting Information in Adopted Resolutions Pertaining to the Use of Funds from the America Rescue Plan Act (ARPA)**
- 21-22 Authorize Lease Agreement with City of Jamestown for Office Space for the Chautauqua County Public Defender’s Office**
- 22-22 Amend 2022 Budget for Body Cam Capital Projects**
- 23-22 Authorize Execution of Comprehensive Opioid, Stimulant and Substance Abuse Site-based (COSSAS) Program FY21**
- 24-22 Emergency Management Performance Grant for Fiscal Year 2021**
- 25-22 Authorize Agreement Between Chautauqua County and City of Dunkirk for ALS-BLS Billing**
- 26-22 Authorize Agreement Between Chautauqua County EMS and Village of Falconer for ALS-BLS Joint Prehospital Service Agreement**
- 27-22 Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program**
- 28-22 Amend 2022 Budget Appropriations to Include Office of Addiction Services and Supports (OASAS) Workforce and Stabilization Grant Allocation**
- 29-22 Amend 2022 Budget to Implement the Address Isolation/Quarantine Housing Project within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan**

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- 30-22 Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Allergan)**
- 31-22 A Resolution Authorizing Various Improvements to Facilities at Jamestown Community College in and for the County of Chautauqua, New York, at a Maximum Estimated Cost of \$4,097,000 and Authorizing the Issuance of \$1,024,250 Bonds to Pay Part of the Cost Thereof.**
- 32-22 A Resolution Authorizing the Acquisition of Various Vehicles and Equipment for the Department of Transportation in and for the County of Chautauqua, New York at a Maximum Estimated Cost of \$3,773,500 and Authorizing the Issuance of \$3,773,500 Bonds to Pay Costs Thereof.**
- 33-22 A Resolution Authorizing \$2,450,000 Bonds of the County of Chautauqua, New York, to Finance the Cost of Improvement in Connection with the South and Center Chautauqua Lake Sewer District in and for the said County.**
- 34-22 Approving Labor Contract with Civil Service Employees Association (CSEA) Unit 6322 (Part-Time Deputy Sheriffs)**
- 35-22 Reallocating Salary Grade for Working Supervisor**

MOTION:

- A. Proclaiming February Black History Month**
- B. Encouraging Best Practices to Overcome COVID-19**

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.

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RES. NO. 7-22

Confirm Re-Appointment – Agriculture & Farmland Protection Board

By Planning & Economic Development Committee:

At the Request of Chairman Pierre E. Chagnon:

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

RESOLVED, That the Chautauqua County Legislature confirms the following re-appointment to the Agriculture & Farmland Protection Board:

Legislator Frank “Jay” Gould

70 Hoag Road

Ashville, NY 14710

Term Expires: 12/31/2022

Co-Terminus with Term

Signed: Muldowney, Harmon, Rankin, Lawton, Wilfong

RES. NO. 8-22

Confirm Appointment – Food Policy Council

By Planning & Economic Development Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the Food Policy Council.

Legislator Susan Parker

Replacing Legislator Bob Scudder

82 Newton St.

Fredonia, NY 14063

Term Expires: 12/31/22

Appointment

Signed: Muldowney, Harmon, Rankin, Lawton

RES. NO. 9-22

Confirm Appointment – Southern Tier West Regional Planning & Development Board

By Planning & Economic Development Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments to the Chautauqua County Legislature for action; now therefore be it

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RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the Southern Tier West Regional Planning & Development Board.

Legislator Thomas Harmon

Replacing Legislature Chairmen Pierre Chagnon

72 Lake Ave. Ext.

Silver Creek NY 14136

Term Expires: 12/31/23

Appointment

Signed: Muldowney, Harmon, Rankin, Lawton

RES. NO. 10-22

Confirm Appointment- Chautauqua County Visitors Bureau Board of Directors

By Planning & Economic Development Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, per Resolution 66-84 there shall be two legislators named as voting members of the Chautauqua County Visitors Bureau Board of Directors; and

WHEREAS, the Chairman of the Legislature has submitted the following names for appointment and re-appointment by the Legislature; now therefore be it

RESOLVED, That the following named individuals be appointed to the Chautauqua County Visitors Bureau Board of Directors.

Re-Appointment

Kevin Muldowney

10 Beach Rd.

Dunkirk, NY 14048

Appointment

Martin Proctor

2276 Route 426

Clymer, NY 14724

(Replacing Legislator Tom Harmon)

Signed: Lawton, Rankin, Harmon, Muldowney

RES. NO. 11-22

Confirm Re-Appointment - Chautauqua County Planning Board

By Planning & Economic Development Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Chautauqua County Planning Board.

Susan L. Asquith

186 Dale Drive

Cassadaga, NY 14718

Term Expires: 12/31/24

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Signed: Muldowney, Harmon, Rankin, Lawton, Wilfong

RES. NO. 12-22

Confirm Appointments and Re-Appointments – Chautauqua County Fire Advisory Board

By Public Safety Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments and re-appointments to the Chautauqua County Fire Advisory Board.

1st Battalion

Kyle Barthel
24 Center St.
Forestville, NY 14062
Term Expires: 1/31/2023
Appointment

E. Lawrence Barter
9 Pine Dr.
Fredonia, NY 14063
Term Expires: 1/31/2023
Re-appointment

Mike Edwards
143 West 4th St
Dunkirk, NY 14048
Term Expires: 1/31/2023
Re-appointment

Joseph H. Kohler
PO Box 352/13 Lodi St
Forestville, NY 14062
Term Expires: 1/31/2023
Appointment

Brian Purol
3681 New Road
Dunkirk, NY 14048
Term Expires: 1/31/2023
Re-appointment

Aaron Weiskerger
12155 Angell Rd Lot 77
Silver Creek, NY 14136
Term Expires: 1/31/2023
Appointment

2nd Battalion

Rusty Hardenburg
12 Maple Dr. West
Mayville, NY 14757
Term Expires: 1/31/2023
Re-appointment

Lyle Holland
47 Clinton St
Westfield, NY 14787
Term Expires: 1/31/2023
Re-appointment

Matthew Oehlbeck
159 Park St
Sherman, NY 14781
Term Expires: 1/31/2023
Re-appointment

Mark Smith
9437 E. Main Rd
Ripley, NY 14775
Term Expires: 1/31/2023
Re-appointment

Burl Swanson
6168 Wright Rd
Dewittville, NY 14728
Term Expires: 1/31/2023
Re-appointment

Ronald H. Trippy
6755 S. Portage Rd
Westfield, NY 14787
Term Expires: 1/31/2023
Re-appointment

3rd Battalion

Jordan Bailey
797 Fairmount Ave
Jamestown, NY 14701

Randy Gleason
3314 Open Meadows Rd
Ashville, NY 14710

Gregory Ireland
17 West Main St
Panama, NY 14767

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Term Expires: 1/31/2023
Appointment

Nick Niles
15 Howard St
Frewsburg, NY 14738
Term Expires: 1/31/2023
Re-appointment

Term Expires: 1/31/2023
Appointment

Charles Piazza
181 FrewRun Rd/PO Box102
Frewsburg, NY 14738
Term Expires: 1/31/2023
Appointment

Term Expires: 1/31/2023
Appointment

Dan Sisson
1514 Bunce Rd
Frewsburg, NY 14738
Term Expires: 1/31/2023
Re-appointment

4th Battalion

David Bartkowiak
2575 Palm Rd
Jamestown, NY 14701
Term Expires: 1/31/2023
Appointment

Ryan Delahoy
205 N. Dow St
Falconer, NY 14733
Term Expires: 1/31/2023
Re-appointment

John Griffith
3659 Dean School Rd
Falconer, NY 14733
Term Expires: 1/31/2023
Appointment

Lance Hedlund
14 Dunn Ave
Jamestown, NY 14701
Term Expires: 1/31/2023
Re-Appointment
Signed: Hemmer, Whitford, Bankoski, Niebel, Proctor

Jeff Molnar
30 Main St
Bemus Point, NY 14712
Term Expires: 1/31/2023
Re-appointment

Barry Swanson
4870 Bayview Rd
Bemus Point, NY 14712
Term Expires: 1/31/2023
Re-Appointment

RES. NO. 13-22

Confirm Appointments and Re-Appointments – Chautauqua County Emergency Medical Services Council

By Public Safety Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments and re-appointments to the Chautauqua County Emergency Medical Services Council.

<u>Name</u>	<u>Affiliation</u>	<u>Address</u>	<u>Term Expiration</u>	<u>Appoint/ Reappoint</u>
Bryan Berek	Fire Service 1	2650 Main Rd. Sheridan NY 14135	12/31/2024	Appoint (Replacing Julius Leone)
Ward Raynor	Fire Service 2	6714 Beech Hill Road Dewittville, NY 14728	12/31/2023	Appoint (Replacing Joyce Matthews)
Jamison Justham	Fire Service 3	53 Melvin Ave Celoron, NY 14720	12/31/2022	Appoint (Replacing Sharoyrn Ruby)

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Alicia L Elderkin	Fire Service 4	2191 Page Rd. Kennedy, NY 14747	12/31/2023	Appoint (Replacing Darlene Morrison)
Jodelle Shaw	Fire Service 4	1556 Old Chautauqua Rd Gerry NY 14740	12/31/2023	Appoint (Replacing Darlene Morrison)
Julie Morton	Brooks Hospital	4887 Kortwright Road Ashville, NY 14710	12/31/2023	Appoint (Replacing Amy Romanik)
Jean Thompson	Westfield Hospital	2432 Powell Avenue Erie, PA 16506	12/31/2023	Appoint (Replacing Tyler Hanson)
Timothy Carlson	Chautauqua Co Ems	973 Norberg Road Russell PA, 16345	12/31/2024	Appoint (Replacing Kevin Peebles)
Dan Aldrich	Paid FF North	4449nWebster Rd. Fredonia NY 14063	12/31/2022	Appoint (Replacing Ryan Walker)
Tom Siderits	CISM	2830 Garfield Rd Jamestown NY, 14701	12/31/2024	Appoint (Replacing Paul Atwell)
Jay S. Mease	Fire Chiefs Association	4562 Johnson Road, Bemus Point, NY 14712	12/31/2024	Appoint (Replacing Paul Miller)
Dan Imfeld	Fire Service Medical	3944 Hillview Dr. Lakewood NY 14750	12/31/2022	Appoint (Replacing Stephen Cobb)
Dr. B. Walters	Medical Dir. I	38 Alpine Meadow Ellicottville, NY 1431	12/31/2023	Appoint (New Appointment)
Dr. M. Faulk	Medical Dir II	3951 Fluvanna Townline Road Jamestown, NY 14701	12/31/2024	Appoint (New Appointment)
Donna Bryant	At Large South	499 Orchard Rd. Jamestown, NY 14701	12/31/2024	Appoint (New Appointment)
Ronald Hasson	DOH NYS Course Sponsor II	5345 Route 474 Ashville, NY 14710	12/31/2024	Reappoint
Donald Mowry	Paid FF South	333 Oak Hill Rd. Frewsburg, NY 14738	12/31/2024	Reappoint
David Thomas	Commercial Ambulance	6 Park Lane Jamestown, NY 14701	12/31/2024	Reappoint
Jen Guttman	At Large North	6057 Portage Rd Mayville NY 14757	12/31/2024	Reappoint
Robert Rein	At Large South	2643 Gerry Ellington Rd Gerry, NY 14740	12/31/2024	Reappoint
Doug Conroe	At Large South	4741 Whiteside Parkway, Bemus Point, NY 14712	12/31/2024	Reappoint
Laura Logan	At Large North	248 Maple Avenue Cassadaga, NY 14718	12/31/2024	Reappoint

Signed: Hemmer, Whitford, Bankoski, Niebel, Proctor

RES. NO. 14-22

Confirm Appointments and Re-Appointments – Airports Commission

By Public Facilities Committee:

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

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WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointments and re-appointments to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment and re-appointment to the Airport Commission.

Legislator John Hemmer

7539 E. Rt. 20

Westfield, N.Y. 14787

Term Expires: 12/21/23

Reappointment

Legislator David Wilfong

39 Norton Ave.

Jamestown, NY 14701

Term Expires: 12/21/23

Appointment

Signed: Hemmer, Scudder, Parker, Davis

RES. NO. 15-22

Confirm Re-Appointments – North County Industrial Water District No. 1 & North County Industrial Sewer District No. 1 Boards

By Public Facilities Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the North County Industrial Water District No. 1 was created by Resolution 245-78 and North County Industrial Sewer District No. 1 was created by Resolution 246-78; and

WHEREAS, Resolutions 245-78 and 246-78 provide that the duration of the terms of the Water District and Sewer District Board Members is six (6) years; and

WHEREAS, Resolution 178-05 provides that the membership of each of the boards shall be five members; and

WHEREAS, the two Boards share the same members; and

WHEREAS, the terms of two Board members expired on December 31, 2021; and

WHEREAS, the Boards of the North County Industrial Water District No. 1 and the North County Industrial Sewer District No. 1 have recommended the following re-appointments; therefore be it

RESOLVED, That the Legislature re-appoint the following individuals to the North County Industrial Water District No. 1 and the North County Industrial Sewer District No. 1 Boards:

Juan Pagan
10764 Bennett Road
Dunkirk, NY 14048

Brian Purol
3681 New Road
Dunkirk, NY 14048

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Term Expires: 12/31/27

Term Expires: 12/31/27

Signed: Hemmer, Scudder, Parker, Davis

RES. NO. 16-22

Appointing Reapportionment Commission for 2020 Census

By Administrative Services and Planning & Economic Development Committees:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, Section 2.01 of the Chautauqua County Charter provides that a bi-partisan reapportionment commission shall be established to evaluate the population data and make recommendations as to a proposed local law establishing the boundaries of county legislative districts; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby establishes a bi-partisan reapportionment commission for the 2020 census consisting of the following members:

1. One (1) member designated by the Chautauqua County League of Women Voters, ~~Michael Bobseine~~ Sue Evans;
2. One (1) member designated by the Chautauqua County Chamber of Commerce, Kevin Sixbey;
3. Two (2) county legislators, Terry Niebel and Bob Bankoski;
4. Four (4) citizen members, Randy Elf, Greg Rabb, Larry Wilcox, and Sandra Lewis;

and be it further

RESOLVED, That on or before May 1, 2022, the commission shall make recommendations in the form of a proposed local law as to changes in the boundaries of county legislative districts to be effective January 1, 2024; and be it further

RESOLVED, That the County Attorney and Chautauqua County Board of Elections are requested to attend commission meetings and provide support for the work of the commission, and the Chautauqua County Department of Planning and Economic Development is requested to assist in arranging technical support for the preparation of district maps.

Signed: Scudder, Muldowney, Parker, Davis, Harmon, Rankin, Lawton (1/18/22 A.S. – Amended by strike through and new text)

RES. NO. 17-22

Amend 2022 Budget to Implement the Repair and Rehabilitation of the NCIWD#1 Water Storage Tank Project 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

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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 Repair and Rehabilitation of the North County Industrial Water District #1 (NCIWD#1) Water Storage Tank Project is identified as one of the priority projects recommended in Resolution 202-21, has been reviewed and recommended by the Chautauqua County Planning Board, and budget amendments are necessary to authorize spending for the project; and

WHEREAS, the Repair and Rehabilitation of the NCIWD#1 Water Storage Tank Project, including engineering and construction, will total \$863,000; 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 Repair and Rehabilitation of the NCIWD#1 Water Storage Tank Project:

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

EW.8310.38001.4	Contractual—Water District, Water Tank (2022)	\$ 863,000
A.9901.----.9	Interfund Transfers—Transfer to Other Funds	\$ 863,000
	Total	\$1,726,000

ESTABLISH & INCREASE REVENUE ACCOUNTS:

EW.8310.38001.R503.1000	Interfund Transfers —Interfund Transfer	\$ 863,000
A.9901.----.R408.9ARP	Federal Aid – Oth Fed Aid ARPA Funds	\$ 863,000
	Total	\$1,726,000

Signed: Hemmer, Scudder, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

RES. NO. 18-22

Authorize Supplemental Agreement No.1 with NY State DOT for Performance of Federal-Aid Project PIN 5761.82

By Public Facilities and Audit & Control Committees:

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

WHEREAS, Pursuant to Resolution 161-17, The Chautauqua County Legislature approved the Replacement of County Bridge 1082, Foote Ave (the Project) and committed to \$275,000 to cover 100% of the Project’s Preliminary Engineering Design I-VI and Right-of-Way Incidental Phases; and

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WHEREAS, Resolution 68-21 authorized Supplemental Agreement No. 1 with the New York State Department of Transportation, which included a Project cost increase to \$285,000, but the State subsequently withdrew that Supplemental Agreement; and

WHEREAS, the New York State Department of Transportation has issued a replacement Supplemental Agreement No. 1, with funding under title 23 U.S. Code, which now calls for the apportionment of the costs of such program, now estimated to be \$340,000, to be \$272,000 Federal Funds, \$45,750 State Marchiselli funds, and \$22,250 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 5761.82; and

WHEREAS, the local share is now calculated to increase by \$7,250; 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 2022 Adopted Budget:

DECREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4	Contractual – Capital Improvements, County Bridge Program	\$ 7,250
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DECREASE REVENUE ACCOUNT:

D.9901. - - - .R503.1000	Interfund Transfer—Interfund Transfer	\$ 7,250
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual – Capital Improvements, Funded Bridge Program	\$55,000
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INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000	Interfund Transfer—Interfund Transfer	\$ 7,250
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	\$44,000

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D.5112.389.R358.9003	New York State Aid--Marchiselli Funds	\$ 3,750
	Total	\$55,000

Signed: Hemmer, Scudder, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

RES. NO. 19-22

Authorize Extension of Tax Collection Agreements with the Cities of Dunkirk and Jamestown

By Administrative Services and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 261-16, the County continued tax collection agreements with the cities of Dunkirk and Jamestown providing that collection and enforcement of real property taxes for the cities and school districts within the City would be equivalent to the collection and enforcement of real property taxes afforded to the towns, villages, and school districts outside the City, including the guarantee of all such taxes; and

WHEREAS, it would be appropriate to extend such agreements with the cities of Dunkirk and Jamestown under substantially the same terms and conditions for a period of up to five (5) years; therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an extension of the joint tax collection agreements with the cities of Dunkirk and Jamestown for up to a five (5) year term covering the 2022-2026 tax levies.

Signed: Scudder, Muldowney, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

RES. NO. 20-22

Modify Accounting Information in Adopted Resolutions Pertaining to the Use of Funds from the America Rescue Plan Act (ARPA)

By Administrative Services Committee:

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

WHEREAS, new accounts and accounting procedures were needed to record the use of ARPA funds to finance capital projects; and

WHEREAS, the account names and accounting procedures evolved and changed since funds were first appropriated in October of 2021; and

WHEREAS, some of the accounting information in previously adopted resolutions is no longer accurate; now therefore be it

RESOLVED, accounting text in the resolutions in the below table be changed as noted.

Resolution No.	Adopted Text—Revenue Accounts	Correct Text—Revenue Accounts
210-21	A.9950.----.R408.9ARP Interfund Transfers—OTH FED AID: ARPA	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
219-21	A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
236-21	A.9950.9999.R408.9ARP	A.9950.----.R408.9ARP

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	Interfund Transfers—Oth Fed Aid: ARPA	Federal Aid—Oth Fed Aid ARPA Funds
237-21	A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
238-21	A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
258-21	A.9950.----.R408.9ARP Interfund Transfers—Oth Fed ARPA Funds	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
259-21	H.1620.25216.R503.1000 Federal Aid—Oth Fed Aid: ARPA A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	H.1620.25216.R503.1000 Interfund Transfers—Interfund Transfer A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
292-21	H.3010.14011.R408.9ARP Federal Aid—Oth Fed Aid: ARPA A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	H.3010.14011.R503.1000 Interfund Transfers—Interfund Transfer A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
293-21	H.3010.14010.R408.9ARP Federal Aid—Oth Fed Aid: ARPA A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	H.3010.14010.R503.1000 Interfund Transfers—Interfund Transfer A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
294-21	H.1620.25249.R408.9ARP Federal Aid—Oth Fed Aid: ARPA A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	H.1620.25249.R503.1000 Interfund Transfers—Interfund Transfer A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
295-21	H.3010.14009.R408.9ARP Federal Aid—Oth Fed Aid: ARPA A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	H.3010.14009.R503.1000 Interfund Transfers—Interfund Transfer A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds
298-21	A.9950.----.R408.9ARP Interfund Transfers—Oth Fed Aid: ARPA	A.9950.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds

Signed: Scudder, Muldowney, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

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RES. NO. 21-22

Authorize Lease Agreement with City of Jamestown for Office Space for the Chautauqua County Public Defender's Office

By Public Safety and Audit & Control Committees:

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

WHEREAS, the County of Chautauqua desires to lease approximately 4,147.5 square feet of office space on the third floor of the City of Jamestown Municipal Building, 200 East Third Street, Jamestown, New York for use by the Chautauqua County Public Defender's Office; and

WHEREAS, negotiations have been undertaken to obtain a lease agreement mutually beneficial to the County of Chautauqua and the City of Jamestown; and

WHEREAS, the 2022 Adopted Budget includes appropriations for lease expenditures and other occupancy costs associated with the premises, as well as revenue budget for reimbursement of those costs from New York State Office of Indigent Legal Services; now therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with the City of Jamestown upon the following terms and conditions:

- 1.) Premises. Approximately 4,147.5 square feet of office space on the third floor of the City of Jamestown Municipal Building, 300 East Third Street, Jamestown, New York.
- 2.) Term. February 1, 2022 through December 31, 2026.
- 3.) Rent. The rent shall be as follows:
 - \$4,479.33 per month commencing on February 1, 2022 through December 31, 2022.
 - \$4,693.25 per month commencing on January 1, 2023 through December 31, 2023.
 - \$4,913.58 per month commencing on January 1, 2024 through December 31, 2024.
 - \$5,140.50 per month commencing on January 1, 2025 through December 31, 2025.
 - \$5,374.25 per month commencing on January 1, 2026 through December 31, 2026.
- 4.) Utilities. The City shall be responsible for utilities, which include electric, water, and heat, and the County shall be responsible for phone, cable and internet service, including any installation fees.
- 5.) Other. Other terms as negotiated by the County Executive.

Signed: Hemmer, Whitford, Bankoski, Proctor, Niebel, Wilfong, Pavlock, Harmon

RES. NO. 22-22

Amend 2022 Budget for Body Cam Capital Projects

By Public Safety and Audit & Control:

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

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WHEREAS, the County established a capital project for body cameras and data storage; and

WHEREAS, the project was proposed in the 2021-2026 capital planning process as a five-year project, with funding needs in each of five years, but the project is actually a one-year project with payments due in each of the five years from 2021-2025; and

WHEREAS, funding for one year of the project was included in the 2021 Adopted Budget but funding for the remaining four years has not been appropriated; and

WHEREAS, the actual cost of certain ARPA projects are less than anticipated; now 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	\$245,753
A. 917.0000	Unassigned Fund Balance – Unassigned Fund Balance	

; and be it further

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Capital Budget:

INCREASE CAPITAL REVENUE ACCOUNT:

H.3110.06010.R503.1000	Interfund Transfers – Interfund Transfer	\$276,601
A.9950.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	<u>\$30,848</u>
	Total	\$307,449

INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.3110.06010.4	Contractual—Bodycam Repl & Data Stor (2021)	\$276,601
A.9950.9	Interfund Transfers—Transfer to Capital	<u>\$276,601</u>
	Total	\$553,202

Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong (1/20/22 A.C. – Amended by strike through and new text)

RES. NO. 23-22

Authorize Execution of Comprehensive Opioid, Stimulant and Substance Abuse Site-based (COSSAS) Program FY21

By Public Safety and Audit & Control:

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

WHEREAS, the Chautauqua County Office of the Sheriff received notice that the U.S. Department of Justice Office of Justice Programs (OJP) has approved an application submitted for the FY21 Comprehensive Opioid, Stimulant and Substance Abuse Site-based Program; and

WHEREAS, the Department of Justice will provide funding for the FY21 grant in the amount of \$899,910, with no local funds, for the performance period of October 1, 2021 through September 30, 2024; and

WHEREAS, this grant is not currently included in the 2022 Adopted Budget and an amendment is needed; now therefore be it

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RESOLVED, The County Executive is authorized to execute an agreement with the Office of Justice Programs to secure the grant funding as set forth above; and also be it

RESOLVED, The Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.1	Personal Services – Sheriff Grants	\$ 60,000
A.3110.GRNT.4	Contractual – Sheriff Grants	\$ 69,189
A.3110.GRNT.8	Employee Benefits – Sheriff Grants	<u>\$ 31,152</u>
	Total:	\$160,341

ESTABLISH & INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R432.4000 Federal Aid--Drug Control Programs \$160,341

Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 24-22

Emergency Management Performance Grant for Fiscal Year
2021

By Public Safety and Audit & Control:

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

WHEREAS, the Office of Emergency Services was awarded funds from the New York State Division of Homeland Security and Emergency Services in the total amount of \$108,500.00 with a fifty percent (50%) in kind match from the County in the amount of \$54,250.00; and

WHEREAS, the grant is to help manage daily Emergency Management functions and to enhance planning, training, exercises, public preparedness, emergency alert and notification systems; and

WHEREAS, the grant period runs from October 1, 2020 through September 30, 2023, or as may be amended; and

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

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

Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 25-22

Authorize Agreement Between Chautauqua County and
City of Dunkirk for ALS-BLS Billing

By Public Safety and Audit & Control:

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

County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution 14-19, Chautauqua County and the City of Dunkirk on behalf of its Fire Department agreed to share the proceeds of Advanced Life Support (ALS)

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services provided by County when requested by Dunkirk Fire Department during Basic Life Support (BLS) calls; and

WHEREAS, it is appropriate that such agreement be continued for the County to continue to share in the proceeds received by the City for County-provided ALS services; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the City of Dunkirk for the County to share in the proceeds received by the City for County-provided ALS services.

Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 26-22

Authorize Agreement Between Chautauqua County EMS and Village of Falconer for ALS-BLS Joint Prehospital Service Agreement

By Public Safety and Audit & Control:

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

WHEREAS, Chautauqua County Emergency Management Services (CCEMS) and the Village of Falconer both operate emergency ambulance services; and

WHEREAS, CCEMS can supply Advanced Life Support (ALS) services in addition to the Village Basic Life Support (BLS) services; and

WHEREAS, CCEMS already contracts with an outside agency for billing for ambulance services and can assume billing for Village of Falconer ambulance services, with funds to be accounted according to negotiated rates; therefore be it

RESOLVED, The County Executive is authorized to enter into an agreement with the Village of Falconer wherein CCEMS will collaborate to supply ALS services on Village of Falconer ambulance runs, as needed, and that CCEMS will undertake billing for Village of Falconer ambulance services.

Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 27-22

Fiscal Year 2020 Hazardous Materials Emergency Preparedness (HMEP) Grant Program

By Public Safety and Audit & Control:

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

WHEREAS, the term of the grant is April 1, 2021 through July 31, 2022; and

WHEREAS, grant funding will be expended in the 2022 budget year but funding and expenditures associated with the grant were not included in the 2022 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following Changes to the 2022 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3640.----.4	Contractual-Hazardous Materials	\$15,516
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INCREASE REVENUE ACCOUNT:

A.3640.----.R430.5004 Federal Aid-Homeland Security \$15,516
Signed: Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 28-22

Amend 2022 Budget Appropriations to Include Office of Addiction Services and Supports
(OASAS) Workforce and Stabilization Grant Allocation

By Human Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Department of Mental Hygiene has been awarded a Workforce Block Grant to be used for educational/training expenses and career development in the amount of \$36,455; and

WHEREAS, the Chautauqua County Department of Mental Hygiene has been awarded a Stabilization Block Grant to be used for renovations of its Dunkirk clinic in the amount of \$41,333; and

WHEREAS, the grant covers the period of March 15, 2021 through March 14, 2023, and the maximum amount of funding over the term of the grant is \$77,788; now therefore be it

RESOLVED, That the County Executive is authorized to execute an agreement and other necessary documents for the acceptance of such grant funds, and is further authorized to enter into agreements with various government and municipal entities, including but not limited to local school districts, colleges, and universities; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4320.----.4 Contractual—Mental Hygiene Programs \$77,788

INCREASE REVENUE ACCOUNT:

A.4320.----.R449.0000 Federal Aid—Federal Aid-Ment Hlth \$77,788
Signed: Pavlock, Rankin, Whitford, Proctor, Torres, Niebel, Harmon, Wilfong, Lawton

RES. NO. 29-22

Amend 2022 Budget to Implement the Address Isolation/Quarantine Housing Project within the
Chautauqua County American Rescue Plan Act (ARPA) Spending Plan

By Human 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

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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 Address Isolation/Quarantine Housing project, identified as one of the priority projects recommended in Resolution 202-21, is ready to proceed, and budget amendments are necessary to authorize spending for the project; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2022 Adopted Budget in order to implement the Address Isolation/Quarantine Housing project:

INCREASE REVENUE ACCOUNT:

A.6010.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$100,000
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INCREASE APPROPRIATION ACCOUNT:

A.6010.----.4	Contractual- Social Services Admin	\$100,000
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Signed: Pavlock, Rankin, Whitford, Proctor, Torres, Niebel, Harmon, Wilfong, Lawton

RES. NO. 30-22

Authorizing and Approving a Settlement Agreement in an Action Relating to the Opioid Crisis (Allergan)

By Human Services and Audit & Control Committees:

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

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

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

WHEREAS, the Action alleges several causes of action against defendant Allergan and its subsidiaries ("Allergan"), based on claims that Allergan contributed to the opioid epidemic by falsely promoting prescription opioids it manufactured and sold, and by falsely promoting the increased use of opioids directly and generally through various "front groups," and failing to implement measures to prevent diversion of prescription opioids in connection with distribution of its products, all of which contributed to a public health crisis in Chautauqua County; and

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WHEREAS, the New York State Attorney General's office has approved a settlement agreement and release form with Allergan (the "Agreement") to settle the claims of the State and its subdivisions, and pursuant to the Agreement, Allergan shall pay the State and its subdivisions approximately \$200 million, including a one-time direct payment to Chautauqua County of approximately \$342,602.33; and

WHEREAS, the Agreement provides that approximately 50% of the County's final settlement proceeds will be unrestricted as to their use, and approximately 50% of the County's final settlement proceeds may only be used for Approved Uses, which are defined to include the following categories: Treating Opioid Use Disorder; Supporting People in Treatment and Recovery; Connecting People who Need Help to Help; Addressing the Needs of Criminal-Justice Involved Persons; Addressing the Needs of Pregnant or Parenting Women and Their Families, Including Babies with Neonatal Abstinence Syndrome; Preventing Over-Prescribing and Ensuring Appropriate Prescribing and Dispensing of Opioids; Preventing Misuse of Opioids; Preventing Overdose Deaths and Other Harms; Supporting Law Enforcement and First Responders; Supporting Opioid Abatement Research; Supporting Post-Mortem Efforts (such as toxicology tests, autopsies, investigations, indigent burial, and epidemiologic data); and

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

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

Signed: Pavlock, Rankin, Whitford, Proctor, Torres, Niebel, Harmon, Wilfong, Lawton

RES. NO. 31-22

A Resolution Authorizing Various Improvements to Facilities at Jamestown Community College in and for the County of Chautauqua, New York, at a Maximum Estimated Cost of \$4,097,000 and Authorizing the Issuance of \$1,024,250 Bonds to Pay Part of the Cost Thereof.

By Administrative Services and Audit & Control Committees:

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

WHEREAS, the Adopted 2022 Capital Budget included various improvements to facilities at Jamestown Community College 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:

Section 1. Various improvements to facilities at Jamestown Community College in and for the County of Chautauqua, New York, including costs incidental thereto, is hereby authorized at a maximum estimated cost of \$4,097,000.

Section 2. The plan for the financing of such maximum estimated cost is as follows:

- (a) By the issuance of \$1,024,250 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law; and
- (b) By the expenditure of \$3,072,750 grants.

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Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of object or purposes is twenty-five years, pursuant to subdivision 12(a)(1), of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. 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 5. 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 6. 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 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 7. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) 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
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. 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 9. 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: Scudder, Muldowney, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

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RES. NO. 32-22

A Resolution Authorizing the Acquisition of Various Vehicles and Equipment for the Department of Transportation in and for the County of Chautauqua, New York at a Maximum Estimated Cost of \$3,773,500 and Authorizing the Issuance of \$3,773,500 Bonds to Pay Costs Thereof.

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the Adopted 2022 Capital Budget included the acquisition of various vehicles and heavy equipment 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:

Section 1. The acquisition of various vehicles and equipment for the department of transportation in and for the County of Chautauqua, New York, is hereby authorized at a maximum estimated cost of \$3,773,500.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$3,773,500 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid class of objects or purposes is three years for \$208,000 thereof, pursuant to subdivision 77 of paragraph a of Section 11.00 of the Local Finance Law; and five years for \$14,500 thereof, ten years for \$50,000 thereof, and fifteen years for \$3,501,000 thereof, each pursuant to subdivision 28 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. 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 5. 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 6. 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 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 7. The validity of such bonds and bond anticipation notes may be contested only if:

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1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. 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 9. 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: Hemmer, Scudder, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

RES. NO. 33-22

A Resolution Authorizing \$2,450,000 Bonds of the County of Chautauqua, New York, to Finance the Cost of Improvement in Connection with the South and Center Chautauqua Lake Sewer District in and for the said County.

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the County Legislature of the County of Chautauqua, New York, has heretofore found it to be in the public interest to undertake improvement to the South and Center Chautauqua Lake Sewer District in said County; and

WHEREAS, it is now desired to provide for the financing of the improvements authorized for such District pursuant to the Local Finance Law; now, therefore,

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

Section 1. Improvements to the South and Center Chautauqua Lake Sewer District in the County of Chautauqua, New York, consisting of a diffused aeration project involving surface aeration and high efficiency blowers, all as set forth in the Map, Plan and Report prepared in connection therewith, at a maximum estimated cost of \$2,450,000, are hereby ratified and confirmed.

Section 2. The plan for the financing of such improvements shall be by the issuance of up to \$2,450,000 bonds of said County herein authorized.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. To the extent not paid from assessment and/or sewer rents in the District, all the taxable real property in said County shall be subject to the levy of ad valorem taxes sufficient to pay the principal of and interest on said bonds as the same shall become due.

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Section 5. 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 6. All other matters except as provided herein relating to the 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 bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal 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 7. The validity of such bonds and bond anticipation notes may be contested only if:

1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or

2) 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

3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 8. The County has previously indicated its 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 9. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper 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: Hemmer, Scudder, Parker, Davis, Niebel, Harmon, Pavlock, Wilfong

RES. NO. 34-22

Approving Labor Contract with Civil Service Employees Association (CSEA) Unit 6322 (Part-Time Deputy Sheriffs)

By Administrative Services, Public Safety and Audit & Control:

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

WHEREAS, the County of Chautauqua and CSEA Unit 6322 have reached a tentative agreement for the period January 1, 2022, through December 31, 2025; and

WHEREAS, pursuant to Section 2.05(g) of the Chautauqua County Charter, the County Legislature must approve all labor contracts; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the tentative agreement between the County and CSEA Unit 6322 to include salary increases of five percent (5%) for 2022; five percent (5%) for 2023; three percent (3%) for 2024; and three percent (3%)

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for 2025; and a longevity payment of seventy-five dollars (\$75.00) per year upon completion of three years of service; and be it further

RESOLVED, That the County Executive is authorized and empowered to execute all necessary documents and agreements to effectuate the new labor agreement with CSEA Unit 6322.

Signed: Scudder, Muldowney, Parker, Davis, Niebel, Bankoski, Whitford, Hemmer, Proctor, Harmon, Pavlock, Wilfong

RES. NO. 35-22

Reallocating Salary Grade for Working Supervisor

By Public Facilities, Administrative Services & Audit & Control:

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

WHEREAS, the Director of Public Facilities requested a review of the Working Supervisor salary grade; and

WHEREAS, the Human Resources staff reviewed the salary grade and duties currently being performed by Working Supervisor positions as compared to similar positions in that department; and

WHEREAS, the position of Working Supervisor is covered by the terms of the CSEA 6300 Agreement and is allocated to Grade 5 of the CSEA 6300 salary schedule; and

WHEREAS, the Human Resources staff has recommended that the position of Working Supervisor be increased two (2) grades on the CSEA 6300 salary schedule; and

WHEREAS, the Reallocation Committee as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade change; and therefore be it

RESOLVED, That the title of Working Supervisor currently allocated to salary grade 5 shall be reallocated to salary grade 7.

2021 CSEA 6300 SALARY SCHEDULE

Grade	Step 1	Step 2	Step 3	Step 4	Step 5	Step 6	Step 7	Step 8	Step 9
5	16.01	16.54	17.07	17.77	18.35	18.87	19.30	19.96	20.31
7	17.01	17.54	18.07	18.87	19.30	19.96	20.58	21.10	21.50

Signed: Hemmer, Scudder, Parker, Davis, Muldowney, Niebel, Harmon, Pavlock, Wilfong

CHAUTAUQUA COUNTY
MOTION NO. _____



TITLE: Proclaiming February Black History Month

AT THE REQUEST OF: Legislators Bankoski, Chagnon, Harmon, Pavlock, Rankin, Vanstrom, Wilfong and Parker

WHEREAS, the idea to observe and honor the accomplishments of Black Americans was first established as Negro History Week in 1926 at the suggestion of one of the greatest Black historians of all time, Dr. Carter Woodson; and

WHEREAS, February was first proclaimed Black History Month in 1979 and sponsored as such by the Association for the Study of Afro-American Life and History; and

WHEREAS, Black Americans contributed to the development of Chautauqua County as slaves and as free men and women since the county's inception and continue to contribute to the richness and vitality of our County community today; and

WHEREAS, the observance of Black History Month affords the special opportunity to become more knowledgeable concerning our Black heritage in this County and our country and to honor the many black leaders who have contributed to the progress of our nation; and

WHEREAS, the knowledge and awareness of the many and varied contributions of Black men and women can strengthen the insight of all our citizens regarding the issues of human rights, the great strides that have been made in the crusade to eliminate the barriers to equality for minority groups, and the continuing struggle against racial discrimination and poverty; therefore be it

KNOWN, The Chautauqua County Legislature, with great pride, hereby proclaims February 2022 Black History Month in Chautauqua County; and let it be

MOVED, The County Legislature urges all residents to familiarize themselves with the significant contributions made by Black Americans in the field of science, industry, religion, entertainment, and others, and to join together to make this a period when all of us rededicate ourselves to the principles of justice and equality for all people.

CHAUTAUQUA COUNTY
MOTION NO. _____



TITLE: Encouraging Best Practices to Overcome COVID-19

AT THE REQUEST OF: Legislators Bankoski, Parker, Pavlock and Vanstrom

WHEREAS, the residents of Chautauqua County continue to confront illness and death associated with the COVID-19 Pandemic; and

WHEREAS, SARS-CoV-2, an easily communicable airborne respiratory virus which causes COVID-19 disease, has killed more than 800,000 Americans, including our Chautauqua County residents, and continues to infect and cause great health harm to our residents, especially those of us unvaccinated; and

WHEREAS, due to the easily communicable airborne nature of the SARS-CoV-2 virus, it is known and understood that the use of masks by individuals in common indoor public areas, especially when combined with the vaccines available, helps reduce the spread of COVID-19 and its significant health consequences, including hospitalization and death, and

WHEREAS, the Chautauqua County Department of Health and Human Services, Public Health Division, referred to herein as “Health Department,” is a community of public health professionals whose main purpose is to protect and promote the health of our residents and families and friends and accomplishes this mission by preventing disease, prolonging meaningful life, protecting the environment, and providing leadership in health crises; and

WHEREAS the Health Department has sought to work cooperatively with all the organizations and businesses and individuals who have an interest and stake in effectively addressing the COVID-19 Pandemic; and

WHEREAS, the Health Department has instituted significant efforts to encourage residents aged 5 and older be vaccinated and obtain and ensure an adequate supply of vaccines for this purpose; and

WHEREAS, the Health Department has recommended that our residents aged two years old and older wear face masks when entering common public indoor spaces, including offices and businesses; therefore,

LET IT BE KNOWN, the Chautauqua County Legislature lauds the efforts of the Health Department to provide a coordinated effort to address the most significant public health crisis we have faced as a country and county in more than a century; and

LET IT BE FURTHER KNOWN, the Chautauqua County Legislature wholly supports the efforts of the Health Department to vaccinate county residents, including booster vaccinations as recommended, encourage the use of masks in common public indoor areas, employ testing to help our residents, organizations, and businesses to help control the spread and severity of COVID-19, and

LET IT FURTHER BE KNOWN, the Chautauqua County Legislature supports without reservation the Health Department's use of a single point of contact for all COVID-19 related information and assistance, including the availability of vaccines and use of masks and employing test kits by way of the Chautauqua County Public Health COVID-19 Hotline at 866-604-6789, its website (<https://chqgov.com/public-health/novel-coronavirus-covid-19>), or by email cchealth@co.chautauqua.ny.us. The Department's assistance is available Monday-Friday 8:30 a.m. to 4:30 p.m. Additionally, the Department offers 24/7 access to assistance at the New York State Department of Health COVID-19 Hotline at 888-364-3065.