

Agenda

Public Facilities Committee

May 16, 2022, 4:00 p.m., Legislative Chambers

Livestreamed on Facebook

Gerace Office Building, Mayville, NY

- A. Call to Order
 - B. Approval of Minutes (04/18/22)
 - C. Privilege of the Floor
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- 1. Proposed Resolution – Amend Budgets for Landfill Capital Projects
 - 2. Proposed Resolution – Amend 2022 Adopted Budget Due to Office Relocations in the City of Dunkirk
 - 3. Proposed Resolution – Authorize Lease of Office Space at 3988 Vineyard Drive, Dunkirk for the Chautauqua County DMV
 - 4. Proposed Resolution – Adjust D5112-Capital Improvement Accounts
 - 5. Proposed Resolution – Calling a Public Hearing Pursuant to County Law §254 Upon a Proposal to Extend the South Chautauqua Lake Sewer District from the Hamlet of Stow to the South Bounds of the North Chautauqua Lake Sewer District on the West Side of Chautauqua Lake
 - 6. Proposed Resolution – Determinations in Relation to Extension of North Chautauqua Lake Sewer District Bounds to encompass the Mandolin Ridge Development and Adjacent Parcels in the Town of Chautauqua
 - 7. Proposed Resolution – Approving SEQRA Findings and Determinations for the North Chautauqua Lake Sewer District Boundary Extension in the Town of Chautauqua
 - 8. Proposed Resolution – Authorize Supplemental Agreement No.3 with NY State DOT for Performance of Federal Aid Project PIN 5761.82
 - 5. Other -

**CHAUTAQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Budgets for Landfill Capital Projects

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, capital project H.8160.509 Closed Landfills (1980) was created to cover the cost of improvements and other expenses at closed landfills the County adopted before the current county-wide landfill was created; and

WHEREAS, capital project H.8160.509 was created in the capital fund (H Fund) instead of the landfill fund (EL Fund) because it was originally funded by a transfer of \$250,000 from the general fund balance (A Fund), as well as a transfer of \$500,000 from the landfill fund balance; and

WHEREAS, in 2016, sub-department EL.8160.6000 Environment, Closed Landfills was created to separately identify expenditures associated with closed landfills that are clearly in addition to expenditures associated with operating the current landfill, and it was no longer necessary to record closed landfill expenditures in capital project H.8160.509; and

WHEREAS, since 2016, the EL Fund has absorbed more than \$2 Million in expenditures associated with closed landfills, as evidenced by expenditures recorded in sub-department EL.8160.6000; and

WHEREAS, the remaining balance of the appropriations budget for capital project H.8160.509 is \$488,334, so closing the project could result in a contribution to the landfill fund balance, and this contribution would partially offset expenditures for closed landfills that were charged to the EL Fund; and

WHEREAS, the Landfill has a balance of \$395,864 in a miscellaneous reserve account for gas well maintenance; and

WHEREAS, the Landfill needs access to funds for capital improvements to expand and/or maintain the gas collection system; now therefore be it

RESOLVED, That the Director of Finance close capital project H.8160.509; reconcile, post adjustments and begin capitalization as necessary; and upon completion of audit and reconciliation of the closed capital project, adjust any surplus or deficit to the EL Fund; and be it further

RESOLVED, That if, in the future, the EL Fund does not have adequate funds to cover closure/post-closure obligations associated with landfills closed before the creation of the current county-wide landfill, the General Fund (A Fund) shall meet those obligations; and be it further

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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

INCREASE THE USE OF FUND BALANCE:

EL.-----889.METH	Reserved Fund Balance--Misc Res: Gas Well Maintenance	\$395,864
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DECREASE THE USE OF FUND BALANCE:

EL.-----924.0000	Unassigned Fund Balance--Nets Assets- Unrestricted (Deficit)	\$488,334
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; and be it further

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

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

EL.8160.24405.4	Contractual – Environment- Gas Well Maintenance (2022)	\$395,864
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DECREASE APPROPRIATION ACCOUNT:

H.8160.509.4	Contractual - Environment-Closed Landfills (1980)	\$488,334
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2022 Adopted Budget Due to Office Relocations in the City of Dunkirk

BY: Public Facilities, Public Safety, Human Services and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution No. 246-21, the County entered into a lease with Agricultural Land Holdings LLC for office space in the City of Dunkirk for use by the Chautauqua County Departments of Probation and Mental Hygiene; and

WHEREAS, budget amendments are needed to: add a budget for the new location; reduce rent expense for the North County Office Building (NCOB) because the departments will only occupy NCOB for part of 2022; and add revenue and expense associated with the build out of the premises to be occupied by the Department of Mental Hygiene; now be it

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

ESTABLISH & INCREASE APPROPRIATION ACCOUNTS:

	Contractual - Buildings & Grounds – Dunkirk Ag	
A.1620.6010.4	Center	\$113,855
A.4320.----.4	Contractual - Mental Hygiene Programs	<u>\$32,477</u>
	Total	\$146,332

DECREASE APPROPRIATION ACCOUNTS:

	Contractual - Buildings & Grounds - North Co	
A.1620.6080.4	Office Building	\$89,530
A.3140.----.4	Contractual - Probation	<u>\$11,996</u>
	Total	\$101,526

INCREASE REVENUE ACCOUNT:

A.4320.----.R162.0000	Departmental Income-Fees: Mental Health	\$44,806
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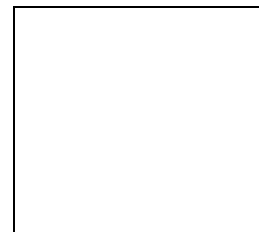
APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**



TITLE: Authorize Lease of Office Space at 3988 Vineyard Drive, Dunkirk for the Chautauqua County DMV

BY: Public Facilities, Administrative Services and Audit & Control Committees:

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

WHEREAS, Chautauqua County currently maintains a Department of Motor Vehicle (DMV) office at 3988 Vineyard Drive in Dunkirk, New York; and

WHEREAS, the County's lease for that DMV office expires August 31, 2022, and the County finds it advantageous to maintain the DMV at that location; therefore be it

RESOLVED, That the County Executive is authorized and hereby empowered to execute a lease agreement with Joseph B. Roosa for such office space on substantially the following terms and conditions:

1. Premises. Approximately 2447 square feet of office space located at 3988 Vineyard Drive in Dunkirk, New York.
2. Term. September 1, 2022 to August 31, 2027 with options to renew for up to five additional years.
3. Rent: \$18.80 per square foot, including parking, for the initial five year term, and \$21.00 per square foot, including parking, during the optional five year extension period.
4. Utilities. Landlord shall be responsible for water, sewer, electric and heat. County is responsible for the installation and maintenance of phone, data and security systems.
5. Other: As negotiated by the County Executive.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Adjust D5112-Capital Improvement Accounts

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, Chautauqua County’s transportation system, which includes roads and bridges, is essential to everyone and it contributes to economic development, job creation and to quality of life; and

WHEREAS, proper maintenance and funding are essential to keeping our roads and bridges in good repair; and

WHEREAS, the Chautauqua County capital budget includes \$4,567,069 in CHIPS Funding for capital improvements; and

WHEREAS, New York State has adjusted the 2022-2023 CHIPS appropriations for Chautauqua County to \$4,567,359.37; and

WHEREAS, the Chautauqua County capital budget includes \$1,275,428 in PAVE-NY funding for capital improvements; and

WHEREAS New York State has adjusted the 2022-2023 PAVE-NY appropriations for Chautauqua County to \$1,275,527.44; and

WHEREAS, New York State has recognized the need for additional funds due to extreme winter weather and it has appropriated funds under the EWR program in the amount of \$841,994.40; and

WHEREAS the County’s budget should be amended to conform to these adjustments to funding; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to execute all necessary documents on behalf of Chautauqua County with New York State, in connection with the funding; and be it further

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

INCREASE REVENUE ACCOUNTS:

D.5112.391.R350.1000	New York State Aid-NYS Aid CHIPS	\$	290
D.5112.391.R350.PAVE	New York State Aid-NYS Aid PAVE NY	\$	99
D.5112.391.R350.EWR	New York State Aid-NYS Aid – Extreme Weather Recovery		<u>\$841,994</u>
	Total		\$842,383

INCREASE APPROPRIATION ACCOUNT:

D.5112.391.4	Contractual-Capital Improvements, Highway Improvements	\$842,383
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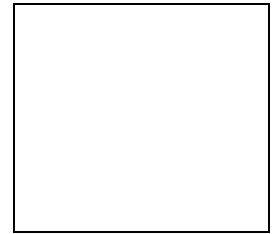
APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____



TITLE: Calling a Public Hearing Pursuant to County Law §254 Upon a Proposal to Extend the South Chautauqua Lake Sewer District from the Hamlet of Stow to the South Bounds of the North Chautauqua Lake Sewer District on the West Side of Chautauqua Lake

BY: Public Facilities and Audit and Control Committees:

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

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, septic systems surrounding Chautauqua Lake have been identified as a source of phosphorus inputs to the lake; and

WHEREAS, it is likely that 50% of such existing septic systems in proximity to Chautauqua Lake would fail tests for adequacy pursuant to applicable sanitary codes, and the cost to property owners for replacement of such septic systems can be in a range of approximately \$15,000 to \$30,000 or more; and

WHEREAS, recognizing the need to reduce wastewater phosphorus entering Chautauqua Lake, the County, the North Chautauqua Lake Sewer District (NCLSD), the South Chautauqua Lake Sewer District (SCLSD), the Center Chautauqua Lake Sewer District (CCLSD) and other stakeholders worked collaboratively and contracted with engineers to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), completed in October 2014; and

WHEREAS, a portion of the CLISMP recommendations include the extension and development of sewer infrastructure to replace existing septic systems in the Towns of Chautauqua, Ellery and North Harmony; and

WHEREAS, public sewer service along the northwestern shore of Chautauqua Lake will provide an environmentally sound alternative to the reliance on septic systems by area residents; and

WHEREAS, such service will also provide long-term public health benefit by protecting area water resources, including Chautauqua Lake, groundwater, and local streams and creeks; and

WHEREAS, the SCLSD has commenced a Phase 1 project currently under construction to extend sewer service along the western shore of Chautauqua Lake from previous SCLSD bounds to the Hamlet of Stow; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, pursuant to Resolution 208-21 the County Sewer Agency was reestablished to review and make a recommendation on the Phase 2 map and plan which would extend service from the Hamlet of Stow to the southern bounds of the NCLSD; and

WHEREAS, the proposed Phase 2 extension project is eligible for the County to apply for state and federal grant monies including New York State DEC Water Quality Improvement Project (WQIP) and Environmental Facilities Corporation (EFC) Water Infrastructure Improvement Act (WIIA) grant funds, and is further eligible for the County to apply for a 30 year interest-free loan through EFC's Clean Water State Revolving Fund program; and

WHEREAS, the Sewer Agency has transmitted to this Legislature a map and plan made by GHD Consulting Services, Inc., engineers licensed by the State of New York, dated April 18, 2022, entitled "Westside Sewer Extension phase 2," and a "Report and Resolution In the Matter of the Extension of the South Chautauqua Lake Sewer District (SCLSD) Westside Sewer Extension Phase 2" recommending the extension of SCLSD (collectively referred to as the Map, Plan and Report) for a maximum amount to be expended of \$24,000,000; and

WHEREAS, the administrative board of the South & Center Chautauqua Lake Sewer Districts at its meeting April 19, 2022 approved the Map, Plan, and Report and support the Phase 2 extension; and

WHEREAS, the Towns of Chautauqua and North Harmony passed Resolutions in support of the Phase 2 extension on May 9, 2022; and

WHEREAS, County Law §254 requires this Legislature to call a public hearing on the Map, Plan and Report; now therefore be it

RESOLVED, That a public hearing will be held by the Chautauqua County Legislature at the Legislative Chambers, Gerace Office Building in the Village of Mayville, Chautauqua County, New York on June 22, 2022, at 6:35 PM, prevailing time, on the proposal to extend SCLSD as set forth in the Map, Plan and Report; and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the County and to be transmitted by first class mail to each assessed owner of property within the proposed extension area of SCLSD as their names and addresses appear on the current assessment roll not less than ten (10) nor more than twenty (20) days before the date designated for the hearing; and be it further

RESOLVED, That pursuant to County Law §254(2)(a), the Clerk of the Legislature is directed to cause a certified copy of the Notice of Public Hearing hereinafter provided to be filed with the New York State Comptroller on or about the date of the publication of such notice; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chautauqua, New York will meet in the Legislative Chambers, Gerace Office Building, Mayville, New York on June 22, 2022 at 6:35 PM, prevailing time, for the purpose of conducting a public hearing on the question of the extension of the South Chautauqua Lake Sewer District (SCLSD) from the Hamlet of Stow on the west side of Chautauqua Lake to the bounds of the North Chautauqua Lake Sewer District in the Town of Chautauqua, for a maximum amount to be expended of \$24,000,000. At such public hearing, the Chautauqua County Legislature will hear all persons interested in the subject matter thereof.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

The proposed improvements include the construction of a new low-pressure force main sewer system with approximately 54,600 linear feet of new force main, 25,000 linear feet of service laterals, one sewage pumping station, two duplex pumping stations, 11 booster stations, and 250 grinder pumping stations. The boundary of the Phase 2 Extension will be comprised of properties on the western shore of the Lake in the Towns of North Harmony and Chautauqua, generally along New York State (NYS) Route 394, from the Hamlet of Stow to the NCLSD, and east along Davis Road from NYS Route 394 to Camp Prendergast.

The area to be included is set forth as follows:

ALL THAT TRACT OR PARCEL OF LAND situated in the Town of North Harmony and Town of Chautauqua, County of Chautauqua, State of New York, shown on Figure 2.1 and being further described as follows:

BEGINNING AT THE POINT OF INTERSECTION on the south shore of Chautauqua Lake in the Town of North Harmony at its intersection with the westerly line of the Phase 1 Sewer Extension as described in the Sewer District Extension Report, dated September 2017 and entitled "Sewer Extension through the Hamlet of Stow for the West Side of Chautauqua Lake," said point also being the division line between current Section Block and Lot (SBL) tax parcel number 332.0-2-14 on the east and SBL tax parcel number 332.11-1-17.3.2 on the west; Thence

Southwesterly along the said division line and on the westerly line of the Phase 1 Sewer Extension to a point in the center of New York State Route 394 right-of-way; Thence

Southeasterly in the center of New York State Route 394 right-of-way on a curve to the right an approximate distance of 845 feet more or less to a point in the center of the Stow Road right-of-way; Thence

Southwesterly along the center of Stow Road right-of-way 570 feet more less to a point in the center of Stow Road right-of-way; Thence

Northwesterly to a point in the northerly right-of-way of Stow Road said northerly line being 500 feet westerly offset from and at all points parallel to the westerly right-of-way of New York State Route 394; Thence

Northwesterly continuing along the said 500-foot westerly offset line crossing the rights-of-way of Carpenter Pringle Road, Morley Road and Magnolia-Stedman Road crossing into the Town of Chautauqua to a point being 500 feet southerly offset from all points parallel to the southerly right-of-way of Davis Road; Thence

Westerly along the said 500-foot southerly offset line to a point in the westerly line of SBL tax parcel 314.00-1-14, said point also being the division line of SBL tax parcel 314.00-1-14 on the east and SBL tax parcel 314.00-1-67.1 on the west; Thence

Northerly along said division line to a point in the southerly right-of-way Davis Road; Thence

Continuing in the same northerly direction, across the right-of-way of Davis Road to a point in the northerly right-of-way of Davis Road, said point also being the division line between SBL tax parcel 314.00-1-13 on the east and SBL tax parcel 314.00-1-2.1 on the west; Thence

Continuing in the same northerly direction along said division line to a point in the northerly line of 314.00-1-13, said point also being the southerly line of 314.00-1-4; Thence

Easterly along the northerly line of SBL tax parcels 314.00-1-13, 314.00-1-12, 314.00-1-11, 314.00-1-9, 314.00-1-8, 314.00-1-7 and 314.00-1-22 to a point in the easterly line of 314.00-1-22 being 468 feet northerly offset from all points parallel to the northerly right-of-way of Davis Road, said point also being the division line of SBL tax parcel 314.00-1-4 on the west and SBL tax parcel 314.00-1-6.2 on the east ; Thence

Easterly along the said 468-foot northerly offset line to a point in the westerly right-of-way New York State Route 394; Thence

Northerly along the westerly right-of-way 1,190 feet more or less; Thence

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Easterly to a point in the center of New York State Route 394 and Prendergast Boulevard right-of-way; Thence

Continuing in the same easterly direction in the center of the right-of-way of Prendergast Boulevard to a point in the center of Manor Drive; Thence

Southeasterly to a point in the westerly right-of-way of Manor Drive, said point also being the division line between SBL tax parcel 297.20-2-23 on the north and SBL tax parcel 314.08-1-1 on the south; Thence

Easterly along said division line to a point in the westerly shore of Chautauqua Lake; Thence

Southerly and easterly along the shore of Chautauqua Lake 19,300 feet more or less crossing into the Town of North Harmony and to the point or place of beginning.

Exclude: 314.00-1-24, 314.00-2-38, 314.00-2-39, 331.00-2-6, 332.00-1-3, 332.00-1-5, 332.00-1-14, 332.00-1-15, 332.00-1-37, 332.00-2-12, 332.00-2-13.2, 332.00-2-42, 332.00-2-44.

The local costs for the proposed SCLSD sewer extension will be assessed on an equivalent dwelling unit (EDU) basis solely to new users within the extension area. A listing of tax parcels within the extension area and a unit assessment table have been included as Appendices B and C, respectively, in the SCLSD Phase 2 extension report, which is on file for inspection in the office of the Clerk of the County Legislature, Gerace Office Building, Mayville, New York, and available on-line at <https://chqgov.com/legislature/Legislature>. The listing of tax parcels and unit assessment table outline how residential, commercial, and vacant properties will be assessed. A single family home constitutes 1 EDU and a two family home constitutes 2 EDUs. The estimated annual cost is \$1,000/EDU, consisting of \$646 per EDU per year for capital costs and \$354 per EDU per year for operation and maintenance costs associated with the collection, conveyance, and treatment of wastewater; therefore, properties assessed at 1 EDU will pay \$1,000/year, properties assessed at greater than 1 EDU will pay some multiple of \$1,000 annually, and vacant properties will pay \$100/year. Said allocations of cost may be changed from time to time by the County Legislature after a public hearing whenever the County Legislature shall determine that such changes are necessary in the public interest. The allocation of the cost of the extension shall not include any proportion of the cost of the system of the original districts. Implementation of the project to extend the SCLSD is contingent upon the receipt of grants and no-interest financing similar to the estimated amounts set forth in the above-referenced SCLSD extension report.

The estimated unit costs for new users do not include the cost to connect to the system including permit fees to SCLSD. Each new user is responsible for paying the costs to install a sewer line from their dwelling to the property line (for gravity connections) or to a grinder pumping station installed near the dwelling. Price will vary depending on type of service and subsurface conditions. A cost of \$3,000-\$5,000 for the exterior connection is a reasonable budget. Current connection permit fees are from \$50-\$150. Reconfiguration of existing plumbing within the dwelling may also be required. Eligible property owners may apply for grants to offset the connection cost through the United States Department of Agriculture Rural Development.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Determinations in Relation to Extension of North Chautauqua Lake Sewer District Bounds to encompass the Mandolin Ridge Development and Adjacent Parcels in the Town of Chautauqua

BY: Public Facilities Committee:

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

WHEREAS, the Chautauqua County Legislature adopted Resolution 113-22 calling a public hearing for the purpose of considering a proposal to extend the North Chautauqua Lake Sewer District (NCLSD) bounds in the Town of Chautauqua to encompass the Mandolin Ridge Development, a Chautauqua Institution Property, and an Adjacent Property; and

WHEREAS, notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on May 25, 2022 at 6:35 PM, prevailing time; and

WHEREAS, the Legislature has duly considered the Map, Plan and Report filed with it by the County Sewer Agency dated March 2022 relating to the proposed extension of NCLSD bounds (Map, Plan and Report), as well as the testimony and other information received by it at the public hearing and otherwise; now therefore be it

RESOLVED, upon the Map, Plan and Report and other data filed with it, the Legislature hereby determines in accordance with County Law §§274 and 256:

1. The proposed facilities for the extension of NCLSD bounds are satisfactory and sufficient.
2. All of the property and property owners within the proposed NCLSD boundary extension are benefitted thereby.
3. All of the property and property owners benefitted are included within the limits of the proposed NCLSD boundary extension.
4. It is in the public interest to extend the NCLSD boundary as proposed.
5. There are no proposed zones of assessment.
6. The proportion of the cost of the system of the original District to be included in the cost of the extension shall be zero.

; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That the extension of NCLSD bounds in the Town of Chautauqua in the vicinity of the Mandolin Ridge Development with boundaries as described in the Map, Plan and Report and in the Notice of Public Hearing are hereby approved; and be it further

RESOLVED, That to the extent the cost of the improvements and the expense of operation and maintenance are not paid from the revenues of the NCLSD, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the NCLSD will derive therefrom; and be it further

RESOLVED, That this resolution is subject to permissive referendum pursuant to County Law §§ 101, 102, 256, 257, and 274 and the Clerk of the Legislature is directed to cause a notice to be published at least once in the official newspapers of the County within ten (10) days after the adoption of this resolution, such notice to contain the number, date of adoption, a true copy of the resolution and a statement that such resolution is subject to a permissive referendum, and the Clerk of the Legislature is further directed to prepare and have available for distribution proper forms for such petition; and be it further

RESOLVED, That in the event no valid petition requesting a referendum vote is filed and the time for doing so has expired, or if a referendum vote is held and the NCLSD extension is approved, the Clerk of the Legislature shall within ten days cause a certified copy of this Resolution to be recorded in the office of the County Clerk and in the office of the state department of audit and control at Albany, New York, pursuant to County Law §259.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____



TITLE: Approving SEQRA Findings and Determinations for the North Chautauqua Lake Sewer District Boundary Extension in the Town of Chautauqua

BY: Public Facilities Committee:

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

WHEREAS, the County, by its North Chautauqua Lake Sewer District (NCLSD), owns and operates a sewage treatment facility and collection system which serve a portion of the Town of Chautauqua in Chautauqua County; and

WHEREAS, H & H Chautauqua Development, LLC (Developer) has proposed construction of a development in the Town of Chautauqua known as the Mandolin Ridge Development (Development) which will have approximately fifty-seven (57) residential lots and three (3) commercial lots; and

WHEREAS, Developer and two nearby property owners have requested that the bounds of the NCLSD be extended to include their lots; and

WHEREAS, the Town of Chautauqua, as the State Environmental Quality Review Act (SEQRA) Lead Agency, conducted a SEQRA review for the Development, including preparation of a Full Environmental Assessment Form (FEAF), and found that the proposed action is a “Type I” action under SEQRA and that the action will not result in any significant adverse environmental impacts; and

WHEREAS, the Town of Chautauqua SEQRA review did not include extension of NCLSD bounds to encompass the property in which the Development sits, which extension renders the NCLSD a SEQRA Involved Agency for the Development project; and

WHEREAS, the NCLSD Board and the County Law Department have reviewed the proposed Development project, have reviewed the project FEAF and supporting documentation, copies of which are on file with the Clerk of the County Legislature, and concur that the project, including extension of NCLSD bounds, is a “Type I” action, and that there is no or very low probability of any significant adverse impact on the environment; and

WHEREAS, considered independently, the District’s extension of its bounds to include the Development would be a Type II Action not subject to further review; and

WHEREAS, considered independently, extension of District bounds to include the residential lot situated adjacent to the Development (SBL 297.00-1-48) would be a “Type II” action under SEQRA and not subject to further review, in that the Legislature’s approval of extension of District bounds to include this lot is for purposes of the provision of necessary sewer utility connections for a single-family residence on an approved lot (6 NYCRR 617.5(11), (13) and (33)); and

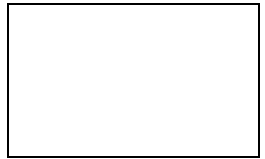
APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____



TITLE: Authorize Supplemental Agreement No.3 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 Resolutions 161-17, 68-21,18-22 and 61-22, the Chautauqua County Legislature approved the Replacement of County Bridge 1082, Foote Ave (the Project) and committed to \$2,470,000 to cover 100% of the Project's Preliminary Engineering Design I-VI and Right-of-Way Incidental Phases and Construction/Construction Inspection Phases; and

WHEREAS, the New York State Department of Transportation has issued Supplemental Agreement No. 3, with funding under title 23 U.S. Code, for the Construction/Construction Inspection Phases, which now calls for the apportionment of the costs of such program, now estimated to be \$2,884,000, to be \$2,307,200 Federal Funds, \$304,500 State Marchiselli funds, and \$272,300 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 \$82,800; 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 exceed 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 and 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 County'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

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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	\$ 82,800
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DECREASE REVENUE ACCOUNT:

D.9901.----.R503.1000	Interfund Transfers—Interfund Transfer	\$ 82,800
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INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual – Capital Improvements, Funded Bridge Program	\$414,000
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INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.389.R503.1000	Interfund Transfers—Interfund Transfer	\$ 82,800
D.5112.389.R458.9002	Federal Aid--Surface Transp Program	<u>\$331,200</u>
	Total	\$414,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date