

## Agenda

Audit & Control Committee

**June 22, 2023, 8:35 a.m., Legislative Chambers**

**Livestreamed on YouTube**

Gerace Office Building, Mayville, NY

- A. Call to Order
  - B. Approval of Minutes (5/18/23)
  - C. Privilege of the Floor
- 
- 1. Proposed Resolution – Modification of Membership of North Chautauqua County Water District Administrative Board
  - 2. Proposed Resolution – Amend 2023 Budget to Implement the New Gerace Office Building Roof Restoration Project, Using Funding from the American Rescue Plan Act (ARPA)
  - 3. Proposed Resolution – Authorize Transfer of Capital Funds between Capital Accounts and Closing of Capital Accounts
  - 4. Proposed Resolution – Adjust D.5112-Capital Improvement Accounts
  - 5. Proposed Resolution – North Chautauqua Lake Sewer District SEQRA Determination Concerning the Reduction of Inflow and Infiltration in the District
  - 6. Proposed Resolution – North Chautauqua Lake Sewer District Determinations in Relation to Reduction of Infiltration and Inflow
  - 7. Proposed Resolution – North Chautauqua Lake Sewer District Capital Account Establishment in Relation to Project for Reduction of Infiltration and Inflow
  - 8. Proposed Resolution – A Resolution Authorizing the Issuance of \$5,480,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the North Chautauqua Lake Sewer District Infiltration and Inflow Reduction Project

9. Proposed Resolution – Authorize County to Apply for Grants and Loans on Behalf of the North Chautauqua Lake Sewer District for Inflow and Infiltration Repair
10. Proposed Resolution – Authorization for the County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for Review of Wastewater Treatment Plant Capacity
11. Proposed Resolution – Authorize Amended Technology Innovations and Election Resource Grant Award from the New York State Board of Elections
12. Proposed Resolution – Authorize the Amendment of the Absentee Ballot Pre Paid Postage Grant Award from the New York State Board of Elections
13. Proposed Resolution – Amend 2023 Budget to Implement the Sheriff’s Office Upgrades Jail & Patrol Project, Using Funding from the American Rescue Plan Act (ARPA)
14. Proposed Resolution – Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2023-2024
15. Proposed Resolution – Amend 2023 Budget for Office of the Sheriff
16. Proposed Resolution – Amend 2023 Budget for Probation
17. Proposed Resolution – Close Health Department Petty Cash Fund
18. Proposed Resolution – Amend 2023 Budget Appropriations to Include Office of Mental Health (OMH) Block Grant for Evidence-Based Practice (EBP), Training, and Implementation for Children and Families
19. Proposed Resolution – Amend 2023 Budget Appropriations to Include Revenues Received by the Opioid Settlement Fund Advisory Board (OSFAB)
20. Proposed Resolution – Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal
21. Proposed Resolution – Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant
22. Proposed Resolution – Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations

23. Proposed Resolution – Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve
24. Proposed Resolution – Authorizing Sale of Frank W. Bratt Agricultural Center in the Town of Ellicott Pursuant to County Law 215
25. Discussion – Re-Organization of Finance Department – Kitty Crow
26. Other -



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

**TITLE:** Modification of Membership of North Chautauqua County Water District  
Administrative Board

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

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

WHEREAS, the Chautauqua County Legislature has erected and established the North Chautauqua County Water District (hereinafter referred to as District) pursuant to Article 5-A of the County Law, and

WHEREAS, in its Report recommending the formation of the District, the Chautauqua County Water Agency recommended that the administrative body of the District consist of nine members with the mayor of the Village of Brocton and the supervisors of the Towns of Portland, Pomfret, Dunkirk and Sheridan being ex officio members with the remaining members appointed by the Chautauqua County Legislature, and

WHEREAS, upon the Chautauqua County Water Agency recommendation, the Chautauqua County Legislature Established the Administrative Body for the District pursuant to Resolution 40-16 which consisted of the Mayor of the Village of Brocton and the Supervisors of the Towns of Sheridan, Dunkirk, Pomfret and Portland and the Chairman of the North County Industrial Water District No. 1 and 3 additional members to be appointed by the Chautauqua County Legislature, and

WHEREAS, the Chautauqua County Legislature desires to improve the oversight and efficiency of the District operation and remove any potential conflict of interest with the District customer CBI Water Works, and

WHEREAS, New York County Law §261 provides that a member of the county legislative body may be appointed as a member of a county district administrative body, and in furtherance of the County Legislature's oversight role, it would be advantageous to appoint county legislators to be members of the District board; and

WHEREAS, county districts established under Article 5-A of New York County Law are county agencies and not separate legal entities, and pursuant to numerous provisions of New York law, the County Legislature has extensive ongoing responsibility for the oversight of all county districts, including, but not limited to the following:

1. Designates the administrative head and their tenure – can be an officer, board, or other body;
2. Approves all district budgets and amendments, including capital projects;
3. Approves all financing/bonding of district projects, which are guaranteed by the full faith and credit of the County;
4. Approves all user charges and assessments;
5. Approves all employee compensation and benefits, including the management salary plan and collective bargaining agreements governing district employees pursuant to the Taylor Law;
6. Provides for all general liability insurance and defense of district officers and employees, including the administrative head;
7. Provides workers' compensation coverage and administration for all County agencies, including the districts;
8. Approves all policies (including procurement policies) applicable to County agencies, including the districts;

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

---

**County Executive**

---

**Date**

9. Adopts the Code of Ethics governing district officers and employees, including the administrative head;
10. Authorizes the delegation of contract approval to the district administrative heads;
11. Approves rules and regulations for the operation of county districts, including the manner of making connections and the construction of the facilities; now therefore be it

RESOLVED, That the District Board shall consist of seven (7) members with five (5) members being the county legislators from Districts 1, 2, 3, 5, and 7, and that the following two (2) persons are appointed as members of the administrative board of the District, to serve at the pleasure of the County Legislature:

1. David Hazelton, 133 West Main Street, Brocton NY 14716  
Term to expire 12/31/2027
2. Richard Lascola, 265 Liberty Street, Fredonia NY 14063  
Term to expire 12/31/2027

and be it further

RESOLVED, That members of the administrative board of the District shall receive no compensation for acting as such members, and be it further

RESOLVED, That the chairman and vice-chairman of the administrative body of the District shall be elected by and shall serve at the pleasure of the members of such board, and be it further

RESOLVED, That said administrative board shall have full power and authority to cause the project described in the District formation Map, Plan and Report to be constructed within the maximum amount authorized to be expended of \$11,750,000 and to operate and maintain the improvements constructed consistent with the November 17, 2015 Water Purchase/Water Supply Agreement among the County of Chautauqua, City of Dunkirk, Town of Portland, Village of Brocton, Town of Pomfret, Town of Dunkirk, Town of Sheridan and North County Industrial Water District No. 1, and be it further

RESOLVED, That said administrative board may enter into contracts as authorized by County Law Article 5-A within the scope of the District formation Map, Plan and Report and further authorizations which may be provided by the County Legislature with municipal corporations and other entities or individuals, and be it further

RESOLVED, That the chairman of the administrative board as authorized by the administrative board be and hereby is authorized and empowered to execute all necessary contracts, vouchers and legal instruments under the authority of the County Legislature and Article 5-A of the County Law.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

---

County Executive

---

Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 06/05/2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Modification of Membership of North Chautauqua County Water District Administrative Board

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Legislature

CONTACT PERSON: Kathy Tampio TEL: 4546

PURPOSE OF LEGISLATION: Same as title

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED





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

**TITLE:** Amend 2023 Budget to Implement the New Gerace Office Building Roof Restoration Project, Using Funding from the American Rescue Plan Act (ARPA)

**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 \$24,649,420 in ARPA funding, all of which is available for general county spending based on the Treasury Department's revenue loss formula and other guidance; and

WHEREAS, an ARPA Spending Plan was thoroughly reviewed by an ARPA working group, the County Executive, and the County Legislature, and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, some funds allocated in the ARPA Spending Plan are no longer needed for the originally designated project(s), and are now available for other projects, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the New Gerace Office Building Restoration project fits within the guidelines for ARPA spending, is needed because of unforeseen catastrophic roof repairs necessary to prevent further damage to the Courthouse, and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

H.1620.xxxxx.4	Contractual—New GOB Roof Restoration	\$500,000
A.9950.----.9	Interfund Transfers—Transfer to Capital	<u>\$500,000</u>
	Total	\$1,000,000

INCREASE REVENUE ACCOUNTS:

H. 1620.xxxxx.R503.1000	Interfund Transfers—Interfund Transfer	\$500,000
A.9950.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	<u>\$500,000</u>
	Total	\$1,000,000

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT

TO CLERK OF THE LEGISLATURE

DATE 6/2/23 MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget to Implement the New Gerace Office Building Roof Restoration System Project, Using Funding from the American Rescue Plan Act (ARPA)

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Public Facilities

CONTACT PERSON: Josh Rothwell TEL: 4821

PURPOSE OF LEGISLATION: Amend 2023 Budget to Implement the New Gerace Office Building Roof Restoration System Project, Using Funding from the American Rescue Plan Act (ARPA)

IS EMERGENCY ACTION REQUIRED? YES NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION:

FISCAL IMPLICATIONS

IS A TRANSFER\* OF FUNDS NECESSARY? YES NO
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES NO
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES NO
IS A NEW ACCOUNT BEING ESTABLISHED? YES NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS NOT A TRANSFER. MOVING FUNDS BETWEEN NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS IS A TRANSFER.

SOURCE OF FUNDS

LOCAL FEDERAL STATE OTHER

LEGISLATIVE HISTORY

Res No. 202-21

OFFICE USE ONLY COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/12/23 FROM County Executive

ADMINISTRATIVE SERVICES PLANNING & ECONOMIC DEVELOPMENT
AUDIT & CONTROL PUBLIC FACILITIES
HUMAN SERVICES PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES NO

2ND COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

COMMITTEE ACTION

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING
APPROVED - REFER TO OTHER COMMITTEE
REJECTED - NOTIFY SPONSOR
TABLED - PENDING INFORMATION
TABLED OR REFERRED

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

**TITLE:** Authorize Transfer of Capital Funds between Capital Accounts and Closing of Capital Accounts

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

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

WHEREAS, the Chautauqua County Legislature has allocated certain monies for capital projects and one of these capital projects came in under budget; and

WHEREAS, it is now known there is a need to purchase a crack sealing machine to be used at the Jamestown and Dunkirk airports; now therefore be it

RESOLVED, That the Director of Finance is authorized make the following changes to the Capital Budget:

ESTABLISH & INCREASE CAPITAL APPROPRIATION:

H.5610.25263.4	Contractual - Chautauqua County Airport - Crack Sealing Machine (2023)	\$38,500
----------------	--	----------

DECREASE CAPITAL APPROPRIATION:

H.5610.25258.4	Contractual - Chautauqua County Airport - JHW Articulating Boom Lift (2023)	\$38,500
----------------	---	----------

ESTABLISH & INCREASE CAPITAL REVENUE ACCOUNT:

H.5610.25263.R503.1000	Interfund Transfers-Interfund Transfer	\$38,500
------------------------	--	----------

DECREASE CAPITAL REVENUE ACCOUNT:

H.5610.25258.R503.1000	Interfund Transfers-Interfund Transfer	\$38,500
------------------------	--	----------

; and be it further

RESOLVED, That the Director of Finance, after making the amendments stated above, close capital account H.5610.25258 for any further expenditures, and reconcile, post adjustments and begin capitalization as necessary; and be it further

RESOLVED, That, upon completion of audit and reconciliation of this closed capital account, any surplus or deficit will be adjusted to the appropriate Fund or Reserve for Capital.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE June 28, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorize Transfer of Capital Funds between Capital Accounts and Closing of Capital Accounts

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Department of Public Facilities - Airports

CONTACT PERSON: Shannon Barnhart TEL: 716-661-8930

PURPOSE OF LEGISLATION: Amend 2023 Capital Budget to transfer funds from Capital Project JHW-Articulating Boom Lift to purchase a Crack Sealing Machine to be used at Jamestown and Dunkirk Airports

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

2023 Adopted Capital Budget Exhibit E-1

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/5/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Adjust D.5112-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 \$4,567,359 in CHIPS Funding for capital improvements; and

WHEREAS, New York State has adjusted the 2023-2024 CHIPS appropriations for Chautauqua County to \$5,101,667.43; and

WHEREAS, the Chautauqua County capital budget includes \$1,275,527 in PAVE-NY funding for capital improvements; and

WHEREAS New York State has adjusted the 2023-2024 PAVE-NY appropriations for Chautauqua County to \$1,285,494.89; and

WHEREAS, the Chautauqua County capital budget includes \$850,351 in Pave our Potholes (POP) funding for capital improvements; and

WHEREAS, New York State has adjusted the 2023-2024 POP appropriations for Chautauqua County to \$856,996.60; 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 2023 Adopted Budget:

INCREASE REVENUE ACCOUNTS:

D.5112.391.R350.1000	New York State Aid-NYS Aid CHIPS	\$ 534,308
D.5112.391.R350.PAVE	New York State Aid-NYS Aid PAVE NY	\$ 9,967
D.5112.391.R350.POP	New York State Aid-NYS AID POP	\$ 6,645
D.5112.391.R350.EWR	New York State Aid-NYS Aid – Extreme Weather Recovery	<u>\$ 841,994</u>
	Total	\$1,392,914

INCREASE APPROPRIATION ACCOUNT:

D.5112.391.4	Contractual-Capital Improvements, Highway Improvements	\$1,392,914
--------------	--	-------------

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/30/2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Adjust D5112-Capital Improvement Accounts

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Public Facilities

CONTACT PERSON: Tim Card TEL: 8406

PURPOSE OF LEGISLATION: : Adjust D5112-Capital Improvement Accounts

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTOR**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** North Chautauqua Lake Sewer District SEQRA Determination Concerning the Reduction of Inflow and Infiltration in the District

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

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

WHEREAS, the North Chautauqua Lake Sewer District (District) was established by Resolution 37-76 in accordance with County Law Article 5-A; and

WHEREAS, engineers with the firm of Barton & Loguidice, D.P.C. have determined that District infrastructure is in need of repairs to reduce inflow and infiltration as articulated in their June 2022 Preliminary Engineering Report and their January 2023 Map and Plan report; and

WHEREAS, the repairs will involve: installation of Cured-In-Place Pipe lining; replacement of sewer main lines; rehabilitation of manholes; and rehabilitation of pump stations; therefore be it

RESOLVED, That in accordance with Article 8 of the New York State Environmental Conservation Law and the State Environmental Quality Review Act (SEQRA), the Chautauqua County Legislature has considered the Project under SEQRA and hereby determines that the Project meets the requirements of a Type II action under 6 NYCRR 617.5(c)(1), "maintenance or repair involving no substantial changes in an existing structure or facility," and, pursuant to 6 NYCRR 617.5(a), the Project as a Type II action is not subject to further SEQRA review under 6 NYCRR Part 617.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/19/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: North Chautauqua Lake Sewer District SEQRA  
Determination concerning the Reduction of Inflow and Infiltration in the District

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature  
Chairman Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: Reduction of I & I in the District

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

37-76

**OFFICE USE ONLY**

COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED



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

**TITLE:** North Chautauqua Lake Sewer District Determinations  
in Relation to Reduction of Infiltration and Inflow

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

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

WHEREAS, the Chautauqua County Legislature adopted Resolution 144-23 calling a public hearing pursuant to County Law §268 for the purpose of considering a project to reduce Infiltration and Inflow (I & I) in the collection system of the North Chautauqua Lake Sewer District (NCLSD); 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 June 28, 2023 at 6:35 PM, prevailing time; and

WHEREAS, the Legislature has duly considered the January 2023 Map and Plan report prepared by Barton & Loguidice, engineers duly licensed in the state of New York, 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 and Plan report and other data filed with it, the Legislature hereby determines in accordance with County Law §268 that it is in the public interest to construct the proposed improvements for the reduction of I & I as described in the Map and Plan report and in the Notice of Public Hearing for a maximum amount to be expended of \$5,480,000.00 (the Project), and the Project is approved; and be it further

RESOLVED, That the initial allocation of the costs of the improvements as described in the Map and Plan report and in the Notice of Public Hearing are hereby approved with NCLSD users paying a maximum estimated annual cost of \$160.00, which when added to the estimated average annual sewer charge will be expected to result in a maximum annual sewer charge of \$700.00; and be it further

RESOLVED, That to the extent that 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 the NCLSD Board is directed to proceed with the improvement in the manner specified by County Law §262 upon:

1. Comptroller approval of the Project; and
2. Financing being secured in an amount and manner satisfactory to the NCLSD Board.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/19/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: North Chautauqua Lake Sewer District Determinations in Relation to Reduction of Infiltration and Inflow

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature Chairman Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: Reduction of I & I in the District

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

Res --23, Law 268, Law 262

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** North Chautauqua Lake Sewer District Capital Account Establishment  
in Relation to Project for Reduction of Infiltration and Inflow

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

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

WHEREAS, pursuant to Resolution \_\_\_\_\_ the County Legislature determined that it is in the public interest to perform work to reduce infiltration out of and inflow into (I & I) the North Chautauqua Lake Sewer District (District) sewer collection system; and

WHEREAS, it is appropriate to establish capital accounts for the undertaking of the work; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to establish accounts for the District's capital improvements, as follows:

<u>ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:</u>		
ESN.8130.28002.4	Contractual—Sewage Treatment—NCLSD I&I (2023)	\$5,480,000
<u>ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:</u>		
ESN.8130.28002.R571.0000	Proceeds L/T Obligations—Serial Bonds	\$5,480,000

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/19/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: North Chautauqua Lake Sewer District Capital Account Establishment in Relation to Project for Reduction of Infiltration and Inflow

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: Reduction of I & I in the District

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

---23

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** A Resolution Authorizing the Issuance of \$5,480,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the North Chautauqua Lake Sewer District Infiltration and Inflow Reduction Project

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

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

WHEREAS, the North Chautauqua Lake Sewer District (District) was established by Resolution 37-76 in accordance with County Law Article 5-A; and

WHEREAS, a June 2022 engineering study of the District's collection system identified numerous items in need of repair which, in their current state, are allowing for infiltration out of and inflow into the sewer collection system (I & I); and

WHEREAS, the engineering firm of Barton and Loguidice prepared a Map and Plan dated January 2023 which includes recommended work to reduce I & I; and

WHEREAS, all conditions precedent to the financing of this capital project, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to provide for the financing and undertaking of the District improvements authorized 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. The design and construction of improvements to reduce I & I in the North Chautauqua Lake Sewer District's collection system, in and for the County of Chautauqua, New York, at a maximum estimated cost of \$5,480,000, is hereby ratified and confirmed.

Section 2. The plan for the financing of such improvements shall be by the issuance of up to \$5,480,000 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 thirty to 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 user charge water rates 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.

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.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

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.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/19/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: A Resolution Authorizing the Issuance of \$5,480,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the North Chautauqua Lake Sewer District Infiltration and Inflow Reduction Project

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature Chairman Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: To pay the cost of Infiltration and Inflow Reduction

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

37-76,

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED





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

**TITLE:** Authorize County to Apply for Grants and Loans on Behalf of the North Chautauqua Lake Sewer District for Inflow and Infiltration Repair

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

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

WHEREAS, North Chautauqua Lake Sewer District (NCLSD) infrastructure was initially installed in the 1950's and 1980's and much of the infrastructure has not been updated or repaired since that time; and

WHEREAS, old infrastructure is likely to have cracks and leaks, which can lead to infiltration and inflow (I & I) of storm and ground water into, and leakage of sewage out of, collection system pipes; and

WHEREAS, sewage leaking out of pipes can result in an improper discharge of sewage to the ground, and such sewage can migrate to Chautauqua Lake and surrounding areas; and

WHEREAS, storm and ground water entering collection system pipes is unnecessarily processed through a treatment plant which may result in higher treatment costs; and

WHEREAS, I & I studies of the North Chautauqua Lake Sewer District collection system showed numerous areas in need of repair; and

WHEREAS, a Map and Plan has been developed for reduction of I & I (the Project); and

WHEREAS, government loan and grant funds for the Project may be available from numerous sources including without limitation the New York State Environmental Facilities Corporation (EFC)- EPA Clean Water State Revolving Fund (CWSRF) program, the USDA Rural Development Program, EFC's Water Infrastructure Improvement Act (WIIA) program, the New York State Department of Environmental Conservation's Water Quality Improvement Project (WQIP) program, the DEC-EFC Engineering Planning Grant (EPG) program, Empire State Development's Empire State Economic Development Fund Program, and Bipartisan Infrastructure Law (BIL) funds; and

WHEREAS, it is in the best interest of the County and NCLSD customers to apply for funding assistance when available; therefore be it

RESOLVED, That the County Executive is authorized to submit Project funding applications to federal and state government entities, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That when a Project funding application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contracts and documents necessary to secure funds, and to represent the County in all matters related to Project funding.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/19/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for Inflow and Infiltration Repair

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature Chairman Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: To pay the cost of Infiltration and Inflow Reduction

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

37-76,

**OFFICE USE ONLY**

COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Authorization for the County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for Review of Wastewater Treatment Plant Capacity

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

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

WHEREAS, the North Chautauqua Lake Sewer District (District) wastewater treatment plant was last expanded in 1979 and is nearing the State's estimated maximum capacity; and

WHEREAS, a study is warranted to confirm current treatment plant capacity including the plant's ability to handle significant wet weather events; and

WHEREAS, the District currently treats sewage from an area outside of District bounds owned by the Town of Chautauqua, and the Town of Chautauqua is planning to extend its district to the town line which will result in increased flows to the North Chautauqua Lake Sewer District wastewater treatment plant; and

WHEREAS, New York State Environmental Facilities Corporation (EFC) offers Engineering Planning Grants (EPG) of up to \$50,000 with a \$10,000 match, which grants may be used for the study of wastewater treatment plant capacity; now therefore be it

RESOLVED, That the County Executive is authorized to apply to EFC for EPG funds for a wastewater treatment plant capacity study, to execute related documents, and to represent the County in connection with such funding application; and be it further

RESOLVED, If the grant application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contract and documents necessary to secure funds, and to represent the County in all matters related to such funding.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 5/18/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorization for the County to Apply for Grants on Behalf of the North Chautauqua Lake Sewer District for Review of Wastewater Treatment Plant Capacity

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Executive Paul M. Wendel and Legislature Chairman Pierre E. Chagnon

CONTACT PERSON: Mathew Oehlbeck TEL: 716-753-4715

PURPOSE OF LEGISLATION: Grant application for review of Wastewater Treatment Plant capacity

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.F. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Authorize Amended Technology Innovations and Election Resource Grant Award from the New York State Board of Elections

**BY:** Administrative Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Board of Elections received notice that the New York State Board of Elections amended the Technology Innovations and Election Resource Grant; and

WHEREAS, the State of New York will provide additional funding for a grant in the amount of \$104,015.29 for Contract #C004349-1110000 for the performance period of January 28, 2023 through January 28, 2024; and

WHEREAS, these funds will be used by the Chautauqua County Board of Elections for actual expenses related to technology updates and equipment; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2023 Adopted Budget; now therefore be it

RESOLVED, That Chautauqua County Legislature accepts the \$104,015.29 from the New York State Board of Elections Technology Innovations and Election Resource Grant; and be it further

RESOLVED, That the County Executive is hereby authorized to execute Contract #C004349-1110000 with New York State to obtain these funds; and be it further

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1450.----.2	Equipment—Board of Elections	\$104,016
---------------	------------------------------	-----------

INCREASE REVENUE ACCOUNT:

A.1450.R308.9007	NYS Aid—Other State Aid: Elections Grt	\$104,016
------------------	--	-----------

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

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

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

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

REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT

TO CLERK OF THE LEGISLATURE

DATE 06/01/23
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorize Technology Innovations and Election Resource Grant from the NYS Board of Election

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: BOARD OF ELECTIONS

CONTACT PERSON: DONNA SANDERSON TEL: 4240

PURPOSE OF LEGISLATION: Same as above

IS EMERGENCY ACTION REQUIRED? YES NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION:

FISCAL IMPLICATIONS

IS A TRANSFER\* OF FUNDS NECESSARY? YES NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS NOT A TRANSFER. MOVING FUNDS BETWEEN NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS IS A TRANSFER.

SOURCE OF FUNDS

LOCAL FEDERAL STATE OTHER

LEGISLATIVE HISTORY

OFFICE USE ONLY

COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/5/23

FROM County Executive

ADMINISTRATIVE SERVICES PLANNING & ECONOMIC DEVELOPMENT
AUDIT & CONTROL PUBLIC FACILITIES
HUMAN SERVICES PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION A.S. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES NO

2ND COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

COMMITTEE ACTION

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING
APPROVED - REFER TO OTHER COMMITTEE
REJECTED - NOTIFY SPONSOR
TABLED - PENDING INFORMATION
TABLED OR REFERRED

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

**TITLE:** Authorize the Amendment of the Absentee Ballot Pre Paid Postage Grant Award from the New York State Board of Elections

**BY:** Administrative Services and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Board of Elections received notice that the New York State Board of Elections approved the Amendment of the Absentee Ballot Pre Paid Postage Grant; and

WHEREAS, the New York State Board of Elections will provide funding for a grant in the amount of \$31,653.34 for the performance period of December 31, 2022 through December 31, 2023; and

WHEREAS, these funds will be used by the Chautauqua County Board to offset expenses related to cost of Absentee Ballot Pre Paid Postage; and

WHEREAS, revenues and expenditures associated with this grant were not included in the 2023 Adopted Budget; now therefore be it

RESOLVED, That Chautauqua County Legislature accepts the \$31,653.34 from the New York State Board of Elections; and be it further

RESOLVED, That the County Executive is hereby authorized to execute a contract # BOE01- T004574 - 1110000 with New York State Board of Elections to obtain these funds; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1450.----.4	Contractual—Board of Elections	\$31,654
---------------	--------------------------------	----------

INCREASE REVENUE ACCOUNT:

A.1450.----.R308.9007	NYS Aid—Other St Aid: Elections Grt	\$31,654
-----------------------	-------------------------------------	----------

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT

TO CLERK OF THE LEGISLATURE

DATE 06/01/23
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorize Amendment of Absentee Ballot Pre Paid Postage Grant Award from the NYS Board of Election

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: BOARD OF ELECTIONS

CONTACT PERSON: DONNA SANDERSON TEL: 4240

PURPOSE OF LEGISLATION: Same as above

IS EMERGENCY ACTION REQUIRED? YES NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION:

FISCAL IMPLICATIONS

IS A TRANSFER\* OF FUNDS NECESSARY? YES NO
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES NO
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES NO
IS A NEW ACCOUNT BEING ESTABLISHED? YES NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS NOT A TRANSFER. MOVING FUNDS BETWEEN NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS IS A TRANSFER.

SOURCE OF FUNDS

LOCAL FEDERAL STATE OTHER

LEGISLATIVE HISTORY

OFFICE USE ONLY COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/5/23 FROM County Executive

ADMINISTRATIVE SERVICES PLANNING & ECONOMIC DEVELOPMENT
AUDIT & CONTROL PUBLIC FACILITIES
HUMAN SERVICES PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION A.S. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES NO

2ND COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES NO

COMMITTEE ACTION

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING
APPROVED - REFER TO OTHER COMMITTEE
REJECTED - NOTIFY SPONSOR
TABLED - PENDING INFORMATION
TABLED OR REFERRED



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

**TITLE:** Amend 2023 Budget to Implement the Sheriff’s Office Upgrades-Jail & Patrol Project, Using Funding from the American Rescue Plan Act (ARPA)

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

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

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of \$24,649,420 in ARPA funding, all of which is available for general county spending based on the Treasury Department's revenue loss formula and other guidance; and

WHEREAS, an ARPA Spending Plan was thoroughly reviewed by an ARPA working group, the County Executive, and the County Legislature, and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, some funds allocated in the ARPA Spending Plan are no longer needed for the originally designated project(s), and are now available for other projects, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the Sheriff’s Office Upgrades-Jail & Patrol project fits within the guidelines for ARPA spending, the various upgrades with justifications are as follows:

Community Smoke Detectors- \$22,500 to provide to families in need  
Tasers for Jail Staff- \$3,500 to replace end-of-life equipment  
Renovations to the Jail Break/Training Room- \$10,000 to enable multi-use  
Train and Outfit Jail CERT Team- \$23,000 special response team training & equipment  
Jail Lockers- \$22,500 to replace end-of-life equipment  
Parking Lot Repairs- \$22,000 actual cost exceeded Capital Project funding  
Virtual Reality Training Unit- \$200,000 training with lifelike scenarios  
and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3150.----.2	Equipment—Jail	\$200,000
A.3150.----.4	Contractual—Jail	\$ 81,000
A.3110.----.4	Contractual—Sheriff	<u>\$ 22,500</u>
	Total	\$303,500

INCREASE REVENUE ACCOUNT:

A.3150.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$281,000
A.3110.----.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	<u>\$ 22,500</u>
	Total	\$303,500

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE June 5 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget to Implement the Sheriff's Office Upgrades-Jail & Patrol Project, Using Funding from the American Rescue Plan Act (ARPA)

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: \_\_\_\_\_

CONTACT PERSON: \_\_\_\_\_ TEL: \_\_\_\_\_

PURPOSE OF LEGISLATION: Amend 2023 Budget to Implement the Sheriff's Office Upgrades-Jail & Patrol Project, Using Funding from the American Rescue Plan Act (ARPA)

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

Res No. 202-21

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2023-2024

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

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

WHEREAS, Chautauqua County is required pursuant to the New York State Correction Law and Education Law to provide appropriate educational services to eligible inmates housed at the County Jail; and

WHEREAS, Chautauqua-Cattaraugus Erie II BOCES has successfully administered various education programs at the jail, and has the ability to oversee a culinary arts program; and

WHEREAS, Chautauqua County desires to offer a culinary arts program to eligible inmates in an effort to assist such inmates in obtaining gainful employment when released from jail, and has negotiated a tentative agreement with BOCES for the period of July 1, 2023 through June 30, 2024, with payments to be made by BOCES to the County of Chautauqua for a total sum not to exceed \$44,756; and

WHEREAS, this revenue has already been included in the 2023 Budget, hence an amendment is not needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with Chautauqua-Cattaraugus Erie II BOCES for a culinary arts instruction program.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE May 23 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2023-2024

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Chautauqua County Office of the Sheriff

CONTACT PERSON: Undersheriff Richard Telford TEL: 716-753-4734

PURPOSE OF LEGISLATION: Same as above.

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

Res. No. 134-14, 268-15, 181-16, 205-18, 213-19, 213-20, 105-21, 218-22

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Amend 2023 Budget for Office of the Sheriff

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

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

WHEREAS, some Office of the Sheriff expenses will exceed initial budgetary estimates due to office furniture needs in the Dispatch Center; and

WHEREAS, the Office of the Sheriff will receive revenues to offset said expenses; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

**INCREASE APPROPRIATION ACCOUNT:**

A.3020.E911.2	Equipment – Publ Safety Communication, E911 System	\$13,359
---------------	--	----------

**INCREASE REVENUE ACCOUNT:**

A.3020.E911.R114.0000	Non Property Tax Items- Surchrq: Emerg Phone Sys	\$13,359
-----------------------	--	----------

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE May 23 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget for Office of the Sheriff

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Chautauqua County Office of the Sheriff

CONTACT PERSON: Undersheriff Richard Telford TEL: 716-753-4734

PURPOSE OF LEGISLATION: Same as above.

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/5/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Amend 2023 Budget for Probation

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

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

WHEREAS, pursuant to Resolution No. 325-22, the 2023 Adopted Budget for the Probation Department was amended to include approved funding for the 2023 Employment Focused Grant; and

WHEREAS, the amendments in Resolution No. 325-22 added all of the revenues and expenditures associated with this funding, but most of the revenues and expenditures were already included in the 2023 Adopted Budget; and

WHEREAS, costs for vehicles to be purchased in 2023 are expected to be more than budgeted; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2023 Amended Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3140.----.2	Equipment - Probation	\$4,819
---------------	-----------------------	---------

DECREASE APPROPRIATION ACCOUNTS:

A.3140.----.1	Personal Services - Probation	\$50,000
A.3140.----.8	Employee Benefits - Probation	\$50,110
A.3140.----.4	Contractual - Probation	<u>\$121,589</u>
	Total	\$221,699

DECREASE REVENUE ACCOUNT:

A.3140.-----R331.OPOV	NYS AID--Probation – Employment Focused Services	\$216,880
-----------------------	--	-----------

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 06/01/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget for Probation

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Probation Department

CONTACT PERSON: Gilbert Taylor TEL: 716-661-8008

PURPOSE OF LEGISLATION: Same as above

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 4:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED



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

**TITLE:** Close Health Department Petty Cash Fund

**BY:** Human Services and Audit & Control Committees:

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

WHEREAS, Resolution No. 213-97 established a revolving petty cash fund in the amount of \$75.00 to be used by the Chautauqua County Department of Health; and

WHEREAS, Resolution No. 17-20 increased the amount of the petty cash fund from \$75.00 to \$100.00; and

WHEREAS, the petty cash fund established by Resolution No. 213-97 and increased by Resolution No. 17-20 is no longer necessary; now therefore be it

RESOLVED, That the petty cash fund established by Resolution No. 213-97 and increased by Resolution No. 17-20 is hereby abolished; and be it further

RESOLVED, That the Director of Finance is hereby directed to make any and all necessary accounting adjustments to implement this change.

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

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 06/01/2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Close Department of Health Petty Cash Fund

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Finance & OFA

CONTACT PERSON: Todd Button & Kathleen Dennison TEL: 4995

PURPOSE OF LEGISLATION: Close Department of Health Petty Cash Fund

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

Resolutions 213-97 and 17-20

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION H.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Amend 2023 Budget Appropriations to Include Office of Mental Health (OMH) Block Grant for Evidence-Based Practice (EBP), Training, and Implementation for Children and Families

**BY:** Human Services and Audit & Control Committees:

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

**WHEREAS**, the Office of Mental Health (OMH) is providing a one-time funding opportunity to OMH licensed, designated, or funded programs to support the implementation of evidence-based practice (EBP) for children and families; and

**WHEREAS**, this Mental Health Block Grant is designed to provide comprehensive community mental health services, including services that address the needs of children, and to increase access to evidence-based treatment as well as coordinated recovery support for those with Serious Mental Illness (SMI) and serious emotional disturbance (SED); and

**WHEREAS**, these resources are intended to support children and youth in the wake of the coronavirus pandemic in alignment with the purpose of the Coronavirus Response Relief Supplement Appropriations Act and American Rescue Plan Act; and

**WHEREAS**, these funds are intended to offset some of the costs to providers seeking to achieve EBP qualification, retain EBP qualified clinicians, integrate EBP data tracking into organizational workflow and billing procedures, expand the delivery of EBP services, and support associated costs of EBP delivery; and

**WHEREAS**, this block grant covers the period of September 1, 2022 through December 31, 2024, and the current maximum amount of funding over the term of the block grant is \$60,000; therefore, be it

**RESOLVED**, That the County Executive is authorized to execute an agreement and other necessary documents for the acceptance of such funds, and be it further

**RESOLVED** That the County Executive is authorized to enter into agreements with various government and municipal entities, including but not limited to universities, local school districts, towns, cities and villages, as well as contracted agencies and vendors in furtherance of the receipt of funds from the OMH; and be it further

**RESOLVED**, That the Director of Finance is authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4320.----.R449.0001	Federal Aid—Mental Hygiene-SAMHSA	\$ 60,000
-----------------------	-----------------------------------	-----------

INCREASE APPROPRIATION ACCOUNTS:

A.4320.----.4	Contractual—Mental Hygiene Programs	\$ 60,000
---------------	-------------------------------------	-----------

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 06/02/23  
MONTH DAY YEAR

**TITLE OF PROPOSED RESOLUTION OR LOCAL LAW:** Amend 2023 Budget Appropriations to Include Office of Mental Health (OMH) Block Grant for Evidence-Based Practice (EBP), Training, and Implementation for Children and Families

**DEPARTMENT OR AGENCY REQUESTING LEGISLATION:** Mental Hygiene

**CONTACT PERSON:** Amanda (Mandie) Alford **TEL:** 716-753-4298

**PURPOSE OF LEGISLATION:** To authorize the County Executive to accept these funds and to amend the 2023 budget to include these funds.

**IS EMERGENCY ACTION REQUIRED?** YES  NO

**STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION:** \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS IS A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/12/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION H.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Amend 2023 Budget Appropriations to Include Revenues Received by the Opioid Settlement Fund Advisory Board (OSFAB)

**BY:** Human Services and Audit & Control Committees:

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

**WHEREAS**, pursuant to Chapter 171 of the Laws of 2022 and pursuant to New York Mental Hygiene Law §25.18, the Opioid Settlement Fund Advisory Board (OSFAB) was created and has been charged with making recommendations regarding the use of revenues received by the State of New York resulting from settlements with opioid manufacturers, distributors, and other entities which contributed to the opioid epidemic; and

**WHEREAS**, OSFAB recommendations reflect collaborative recommendations from the Office of Addiction Services and Supports (OASAS), the Department of Health (DOH), and the Office of Mental Health (OMH); and

**WHEREAS**, the Chautauqua County Department of Mental Hygiene and Social Services has been awarded revenue funds by the OSFAB in the amount of \$1,054,904 for 2023; and

**WHEREAS**, these funds specifically may be used by Chautauqua County Department of Mental Hygiene and Social Services to:

- a) Prevent substance use disorders (SUD) through an evidence-based, youth-focused public health education and prevention campaigns, including school-based prevention and health care services and programs to reduce the risk of substance use by school aged children;
  - b) Develop and implement public education campaigns to reduce stigma against individuals with a substance use disorder, that provide information about the risks of substance use, best practices for addressing substance use disorders, and information on how to locate services that reduce the adverse health consequences associated with SUD or provide treatment for SUD;
  - c) Provide SUD treatment and early recovery programs for youth and adults, with an emphasis on programs that provide a continuum of care that includes screening and assessment for SUD and co-occurring disorders, active treatment, family involvement, case management, relapse management for substance use and other co-occurring behavioral health disorders, vocational services, literacy services, parenting classes, family therapy and counseling services, crisis services, recovery services, evidence-based treatments, medication-assisted treatments, including medication-assisted treatment provided in correctional facilities, psychiatric medication, psychotherapy and transitional services programs;
  - d) Provide harm reduction counseling and services to reduce the adverse health consequences associated with SUD, including overdose prevention and prevention of communicable diseases related to substance use, provided by SUD service providers, or qualified community-based organizations;
  - e) Provide housing services for people who are recovering from SUD, where such housing services shall be appropriate, based on the individual's current need and stage of recovery and may include, but are not limited to, supportive housing services;
  - f) Support community-based programs that reduce the likelihood of criminal justice involvement for individuals who have or are at risk of having SUD;
  - g) Provide programs for pregnant women and new parents who currently or formerly have had SUD, and newborns with neonatal abstinence syndrome;
  - h) Provide vocational and educational training for individuals with or at risk for SUD;
- and

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

---

**County Executive**

---

**Date**

- i) Ensure individuals can access services without discrimination based upon age, race, creed, color, national origin, sexual orientation gender identify or expression, military status, sex, pregnancy, physical or mental disability, predisposing genetic characteristics, familial status, status as a victim of domestic violence, housing status and arrest records and criminal convictions; and

**WHEREAS**, this funding shall be used to supplement and not supplant any other funds, including federal or state funding, which would otherwise have been expended for SUD prevention, treatment, recovery, or harm reduction services or programs; and

**WHEREAS**, these OSFAB funds were not included in the 2023 Budget; therefore, be it

**RESOLVED**, That the County Executive is authorized to execute an agreement and other necessary documents for the acceptance of such funds, and be it further

**RESOLVED**, That the County Executive is authorized to enter into agreements with various government and municipal entities, including but not limited to universities, local school districts, towns, cities and villages, as well as contracted agencies and vendors in furtherance of the receipt of funds from the OSFAB; and be it further

**RESOLVED**, That the Director of Finance is authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.4320.----.R349.0000	State Aid—Mental Hygiene	\$ 1,054,904
-----------------------	--------------------------	--------------

INCREASE APPROPRIATION ACCOUNTS:

A.4320.----.4	Contractual—Mental Hygiene Programs	\$ 1,054,904
---------------	-------------------------------------	--------------

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

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE 06/02/23  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget Appropriations to Include Revenues Received by The Opioid Settlement Fund Advisory Board (OSFAB)

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Mental Hygiene

CONTACT PERSON: Amanda (Mandie) Alford TEL: 716-753-4298

PURPOSE OF LEGISLATION: To authorize the County Executive to accept these funds and to amend the 2023 budget to include these funds.

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/12/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION H.S. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED





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

**TITLE:** Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal

**BY:** Planning and Economic Development and Audit & Control Committees:

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

WHEREAS, Westfield Maid Cooperative, Inc. or an affiliated entity (the “Company”) plans to develop, equip, furnish and operate a juice production facility at 7505 E. Route 20, Westfield, New York (the “Project”) at an estimated Project cost of \$2.8 million; and

WHEREAS, the Company has requested that Chautauqua County apply for funding on its behalf from the New York State Office of Community Renewal (the “OCR”) to finance a portion of the machinery and equipment and working capital costs associated with the Project, and

WHEREAS, the Chautauqua Region Economic Development Corporation (the “CREDC”) is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the CREDC as a grant for the purpose of making a loan or loans to the Company, and

WHEREAS, the Project will result in substantial benefit to Chautauqua County in the form of new investment and an estimated 12 new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and the project; now, therefore, be it

RESOLVED, That the County Executive is hereby authorized to submit a grant application on behalf of Chautauqua County to the OCR for an amount to be determined by OCR and expected to be approximately \$180,000, such amount to be provided as a grant to CREDC to provide financing to the Company for a portion of the machinery and equipment and working capital required for the Project and to fund grant administration costs, and be it further

RESOLVED, That the County Executive is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the CREDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the Chautauqua County Law Department, and be it further

RESOLVED, That the County Executive is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE May 30, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Planning & Development

CONTACT PERSON: Nate Aldrich TEL: 716-363-3672

PURPOSE OF LEGISLATION: Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

None

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/5/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.E.D. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 6:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant

**BY:** Planning and Economic Development and Audit & Control Committees:

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

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened by severe erosion, sedimentation and flooding associated with Bemus Creek; and

WHEREAS, the Chautauqua County Department of Planning and Development and the Chautauqua Lake and Watershed Management Alliance (Alliance) have partnered to provide grant writing and grant administration services, technical services and project oversight in an effort to efficiently deliver beneficial water quality projects that have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are fiercely competitive and require a local match in cash and/or in-kind services; and

WHEREAS, the 2023 CFAs include Nonpoint Source Planning Grants (NPGs) in the amount of \$50,000, which provide funding for stream sediment and debris management planning; and

WHEREAS, the NPGs for stream sediment and debris management planning provides reimbursement for up to 90% of eligible project costs, with applicants providing the remaining local match contribution of at least 10% of the total project costs; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of \$781,017; and

WHEREAS, Chautauqua County, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments (herein called the "Project"), is desirable, in the public interest, and required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now therefore be it

RESOLVED, That the County Executive is authorized to apply for a New York State Department of Environmental Conservation NPG grant for funding assistance for a Stream Sediment and Debris Management Plan for the Bemus Creek watershed; and be it further

RESOLVED, That the County shall commit a cash match of \$5,000 in local funding from the 2% Occupancy Tax Reserve toward the Stream Sediment and Debris Management Plan for Bemus Creek Project.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

\_\_\_\_\_  
Date

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE June 1, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Department of Planning & Development

CONTACT PERSON: Dave McCoy TEL: 716-661-8917

PURPOSE OF LEGISLATION: Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

None

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/12/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.E.D. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 6:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations

**BY:** Planning and Economic Development and Audit & Control Committees:

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

WHEREAS, twenty two applications for the 2024 Round of 2% Occupancy Tax Grant Program for lake and stream protection and enhancement projects were received, and the Waterways Panel has carefully reviewed and prioritized the twenty two requests; and

WHEREAS, ten of the twenty two projects submitted for 2% Occupancy Tax funding for the enhancement and protection of waterways have been recommended by the Waterways Panel; therefore be it

RESOLVED, That the Chautauqua County Legislature requests the Division of Planning and Development to arrange for the New York State Environmental Quality Review Act (SEQRA) review of the ten projects recommended by the Waterways Panel for 2024 2% Occupancy Tax funding as follows:

<b>Project/Agency or Organization</b>	<b>Rank</b>	<b>Amount Requested</b>	<b>Amount Recommended</b>
Fairmount Stormwater Basin and Watershed Improvement Project	1	\$40,000.00	\$40,000.00
Town of Ellicott Sediment Traps	2	\$12,250.00	\$52,250.00
Jurkowski Detention Project	3	\$24,885.00	\$77,135.00
Kyser Shoreline Stabilization	4	\$11,300.00	\$88,435.00
Henige Stream Restoration	5	\$7,326.00	\$95,761.00
Soon Stabilization Project	6	\$40,000.00	\$135,761.00
Sheridan Bay Park Climate Resiliency	7	\$40,000.00	\$175,761.00
Wadin Stabilization Project	8	\$18,425.00	\$194,186.00
Wilson Streambank Stabilization	9	\$36,530.00	\$230,716.00
Hilmey Stabilization Project	10	\$20,000.00	<b>\$250,716.00</b>
Porter Avenue Culvert - Pomfret	11	\$40,000.00	
Lighthouse Point Streambank Stabilization	12	\$22,999.00	
Feasibility Study - Goose Creek Stormwater Basin	13	\$32,200.00	
Mud Creek Rehabilitation - Smith/Lorenzi	14	\$35,950.00	
Porter Avenue Culvert - Fredonia	15	\$26,850.00	
Danmore Stabilization Project	16	\$15,050.00	
Kimberly Elste Streambank Stabilization	17	\$35,531.00	
Andrzejewski Stabilization Project	18	\$8,345.00	
Aubry - Chautauqua Lake	19	\$24,000.00	
Dunkirk Harbor - Coastal Landscape Study	20	\$34,440.00	
Fenske Restoration Project	21	\$17,784.00	
Shanahan Near & Far Seawall Construction	22	\$109,000.00	

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

<b>TOTALS</b>		<b>\$652,865.00</b>	<b>\$250,716.00</b>
---------------	--	---------------------	---------------------

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE May 18, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Department of Planning and Development

CONTACT PERSON: Dave McCoy TEL: 716-661-8915

PURPOSE OF LEGISLATION: Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

This is an annual resolution in connection with the 2% Occupancy Tax Program for Lakes & Waterways (234-16, 175-17, 162-18, 139-19, 154-20, 176-22)

**OFFICE USE ONLY**

COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.E.D. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 6:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED





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

**TITLE:** Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve

**BY:** Planning and Economic Development and Audit & Control Committees:

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

WHEREAS, Chautauqua County has established a 3% occupancy tax program for the purposes of promoting, developing, and protecting the area’s tourism industry; and

WHEREAS, the Chautauqua County Soil & Water Conservation District seeks to undertake coastal landscape assessments to create a baseline understanding of sediment movement and wave energy along the Lake Erie shoreline of Chautauqua County; and

WHEREAS, the assessments will focus on the three biggest economic drivers on the Lake Erie shoreline: Hanford/Sunset Bays, Dunkirk Harbor, and Barcelona Harbor; and

WHEREAS, these assessments will develop alternatives for mitigating local concerns and improving resiliency of the communities; and

WHEREAS, the alternatives can then be submitted to state and federal grant programs for final engineering and construction funding; and

WHEREAS, the total cost of the costal landscape assessments is \$255,112 and matching funds that total \$120,000 have been secured from the Lake Erie Watershed Protection Alliance (\$60,000), New York State Sea Grant program (\$55,000) and the Lake Erie Management Commission (\$5,000.00); and

WHEREAS, the 3% Occupancy Tax Program Reserve has a balance of \$722,354 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$135,112 from the 3% Occupancy Tax Program Reserve for the implementation of the coastal landscape assessments; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2023 Adopted Budget:

**INCREASE THE USE OF APPROPRIATED FUND BALANCE:**

A.----.----.883.0000	Reserved Fund Bal – Reserve for Occupancy Tax	\$135,112
----------------------	---	-----------

**INCREASE APPROPRIATION ACCOUNT:**

A.6420.TOUR.4	Contractual – Promotion of Industry, Tourism	\$135,112
---------------	--	-----------

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE May 30, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: Planning & Development

CONTACT PERSON: Dave McCoy TEL: 716-661-8915

PURPOSE OF LEGISLATION: Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO   
IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO   
IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO   
IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

None

**OFFICE USE ONLY**  
COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/6/23  
FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION P.E.D. 6/21/23

TIME AND LOCATION OF COMMITTEE MEETING 6:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED

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

**TITLE:** Authorizing Sale of Frank W. Bratt Agricultural Center in the Town of Ellicott Pursuant to County Law 215

**BY:** Administrative Services and Audit & Control Committees:

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

WHEREAS, the County owns the Frank W. Bratt Agricultural Center Building located at 3542 Turner Road in the Town of Ellicott, New York, part of the parcel identified by Section, Block and Lot number 336.00-1-35.1 (the Property); and

WHEREAS, the County is presently using only an outbuilding on the Property for County purposes and will subdivide the area in use from the larger unused parcel, which the County is not using for County purposes and does not anticipate a future need to use the Property for County purposes; and

WHEREAS, ownership and maintenance of the Property is a burden to the County, and the County will benefit from restoration of the Property to the County tax rolls; and

WHEREAS, pursuant to New York State County Law §215(5), upon a determination by the County Legislature that County real property is no longer necessary for public use the Legislature may, by resolution adopted by the affirmative vote of two-thirds of the total membership, sell and convey all the right, title and interest of the County in the property; and

WHEREAS, the County has caused an Environmental Assessment Form (the "EAF") to be prepared; and

WHEREAS, the County has determined that the sale of the Property (the Action) is an unlisted action under Part 617 of the General Regulations adopted pursuant to Article 8 of the Environmental Conservation Law; and

WHEREAS, the County has reviewed the EAF and analyzed and considered any relevant areas of environmental concern and the probable environmental impacts of the Action to determine if the Action may have any significant adverse environmental effects; now therefore be it

RESOLVED, That pursuant to New York State County Law §215 and Chautauqua County Local Law 7-75, the Chautauqua County Legislature hereby finds that it is no longer in the best interest of the County to own the Frank W. Bratt Agricultural Center property and that the Property is no longer necessary for public use; and be it further

RESOLVED, That the Action entails merely the transfer to the Purchaser of the ownership of an existing building and associated property with no change to the environment, facility, or property, such that: the Action will not result in an adverse impact to the Property, will not adversely affect any water body designated as protected pursuant to New York Environmental Conservation Law, and will not affect any non-protected existing or new body of water; there will be no significant adverse impact to existing air quality from the Action; there will be no substantial adverse environmental impacts to plants and animals from the Action; the Action will not cause a significant adverse effect on aesthetic resources in the area; the Action will not adversely impact any site or structure of historic, prehistoric or paleontological importance; the Action will not adversely impact open space or recreation; the Action will not entail any adverse impact on transportation; there will be no adverse impact from the Action on the growth and character of the community or neighborhood; and the Action will have none of the adverse, significant environmental impacts referred to in Section 617.7 of Title 6 of NYCRR; and be it further

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

RESOLVED, That the County hereby determines, in accordance with the New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law and the implementing regulations found at 6 N.Y.C.R.R. Part 61, for the foregoing reasons, that the Action will not have a significant potential adverse environmental impact and accordingly, does issue a negative declaration; and be it further

RESOLVED, That pursuant to Section 3.02(h) of the Chautauqua County Charter, the Chautauqua County Legislature hereby approves marketing and listing the Property, and the conveyance of the Property to the purchaser with the most responsible offer considering price and terms as negotiated by the County Executive, subject to the County's retention of aviation easements as may be required by the FAA; and be it further

RESOLVED, The County Executive is authorized to execute all contracts, deeds, bills of sale, and all other documents necessary to accomplish the sale of the Property.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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

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

**REQUEST FOR LEGISLATION AND MEMORANDUM IN SUPPORT**

TO CLERK OF THE LEGISLATURE

DATE June 6, 2023  
MONTH DAY YEAR

TITLE OF PROPOSED RESOLUTION OR LOCAL LAW: Authorizing Sale of Frank W. Bratt Agricultural Center in the Town of Ellicott Pursuant to County Law 215

DEPARTMENT OR AGENCY REQUESTING LEGISLATION: County Law Department

CONTACT PERSON: Patrick J. Slagle TEL: 716-753-4247

PURPOSE OF LEGISLATION: Authorize the sale of County property that is no longer necessary for public use

IS EMERGENCY ACTION REQUIRED? YES  NO

STATE THE EMERGENCY NATURE OF THE PROPOSED LEGISLATION: \_\_\_\_\_

**FISCAL IMPLICATIONS**

IS A TRANSFER\* OF FUNDS NECESSARY? YES  NO

IF YES, ARE THE FUNDS BEING TRANSFERRED WITHIN THE SAME DEPARTMENT/AGENCY? YES  NO

IF YES, IS TRANSFER FROM .8 ACCOUNT? YES  NO

IS A NEW ACCOUNT BEING ESTABLISHED? YES  NO

\*NOTE: ADDING TO, OR SUBTRACTING FROM, EXISTING BUDGET CLASSIFICATIONS OR ACCOUNTS IS **NOT** A TRANSFER. MOVING FUNDS **BETWEEN** NEW OR EXISTING CLASSIFICATIONS OR ACCOUNTS **IS** A TRANSFER.

**SOURCE OF FUNDS**

LOCAL  FEDERAL  STATE  OTHER

**LEGISLATIVE HISTORY**

228-17  
\_\_\_\_\_  
\_\_\_\_\_

**OFFICE USE ONLY**

COMMITTEE(S) ASSIGNMENT

DATE RECEIVED 6/12/23

FROM County Executive

ADMINISTRATIVE SERVICES  PLANNING & ECONOMIC DEVELOPMENT   
AUDIT & CONTROL  PUBLIC FACILITIES   
HUMAN SERVICES  PUBLIC SAFETY

DATE OF INITIAL COMMITTEE CONSIDERATION A.S. 6/20/23

TIME AND LOCATION OF COMMITTEE MEETING 5:00 p.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

ACTION REQUIRED BY ANOTHER COMMITTEE YES  NO

2<sup>ND</sup> COMMITTEE AND DATE OF MEETING A.C. 6/22/23

TIME AND LOCATION OF COMMITTEE MEETING 8:35 a.m. Legislative Chambers

DEPARTMENT HEAD REQUESTED TO ATTEND YES  NO

**COMMITTEE ACTION**

PRE-FILE AS A RESOLUTION FOR NEXT REGULAR MEETING   
PRE-FILE AS A MOTION FOR NEXT REGULAR MEETING   
APPROVED - REFER TO OTHER COMMITTEE   
REJECTED - NOTIFY SPONSOR   
TABLED - PENDING INFORMATION   
TABLED OR REFERRED