

Regular Meeting
Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, November 15, 2023 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:30 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on November 15, 2023. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present (Absent: Muldowney, Proctor, Rankin)

Legislator Nelson delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon and duly carried the minutes were approved. (10/25/2023)

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes.

No one chose to speak.

COMMENDATION:

Michael Pantano
By
Legislator Tom Harmon

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 10/25/2023

Clerk Lee: There are 4 communications listed on the agenda. Are there any items you wish you have read aloud?

COMMUNICATIONS:

- 1. Report – Finance Director Kitty Crow, Re: September, 2023 Investment Report**
- 2. Affidavit of Publication (2) – Legal Notice – Publication of Local Law Intro 10-23 (Post Journal and Observer)**
- 3. Affidavit of Publication (2) – Legal Notice – Public Hearing Re: Office of Community Renewal Grant Program Application (Post Journal and Observer)**
- 4. Letter/Petition – Residents of Falconer, New York – Re: Reconsider the Transitional Housing Program located at the Budget Inn and the Quality Inn in Falconer, New York**

Chairman Chagnon: That brings us to our public hearing. We'll have a public hearing regarding Assessing the Advisability of Submitting a Community Development Block Grant Application to the New York State Office of Community Renewal for a Grant to Implement a Microenterprise Assistance Program. So I will now open the public hearing and the clerk will read a description for us.

*Opened
6:36 P.M.*

PUBLIC HEARING

A Public Hearing Regarding Assessing the Advisability of Submitting a Community Development Block Grant Application to the New York State Office of Community Renewal for a Grant to Implement a Microenterprise Assistance Program

Clerk Lee: I have a brief explanation of the grant and was asked to read by Stephanie Nick, Special Projects Coordinator of the Chautauqua County Department of Planning and Development.

Chautauqua County is applying for a \$200,000 grant from the New York State Office of Community Renewal (NYSOCR) that will be used to implement a microenterprise assistance program that will provide entrepreneurial training and grants to eligible microenterprise businesses in Chautauqua County not within entitlement communities of Jamestown and Dunkirk. A microenterprise grant is a commercial enterprise that has 5 or fewer employees, 1 or more of which is the principal and owns the enterprise at the time of application and must either be owned by a low- to moderate-income person or the funded project must result in the creation of at least one full-time equivalent position to benefit a low- to moderate-income person. The program will be implemented by Chautauqua Opportunities for Development, Inc. (CODI). \$170,000 of the grant funding will be used to provide grants to microenterprise businesses, the remainder will be used to pay administrative costs of implementing the program.

Chairman Chagnon: Thank you. Is there anyone wishing to address the public hearing?

Hi, Anthony Toda, 144 Clifton Avenue. My question is, how are you going to line up these people and what is the priority going to be for them without maybe leaving somebody out or causing a little bit of favoritism? I know we had a little problem in Jamestown when we had funding from ARPA concerning the Department of Development when giving money to local businesses. So what exactly is the plan so people don't get left out or is there a first come first serve basis, how exactly does it work?

Chairman Chagnon: Thank you, Anthony, for your questions. County Executive, are you going to pinch hit on this one?

County Executive: *(Inaudible)*

Chairman Chagnon: Okay, Stephanie, please.

Hi, Stephanie Nick, Special Projects Coordinator with the Planning and Development Department. So this grant is not being done through the County. The County is applying on behalf of Chautauqua Opportunities for Development Incorporated. They have a program set up - this is actually a continuation of a program that started in 2021. They have a program set up that anyone can apply for this program. This public hearing is part of the publication of the grants. So if people are here that's one way to learn about it. It's also been in the newspaper and there are flyers around town. CODI has some information right at their office building and on their website so it's really up to the microenterprise business to seek that out and be able to apply for it. There is a class they need to take. There are some other steps along the way but it's a grant up to \$35,000 for different microenterprise businesses. Last year there were 8 successful businesses but there are some prerequisites you have to take. You have to take the class, you have to sign up through CODI, there are other things you do through CODI that makes sure that you are prepared to start a business or to continue running a successful business.

Chairman Chagnon: Thank you, Stephanie. Anthony, are you good?

Mr. Toda: I just have one more question. How would you notify these businesses of the procedures they say they go through like you said, there was a certain procedure they had to go to for application process? So if you don't notify everybody, someone's going to be left out, so how is that accomplished?

Ms. Nick: So the notification again, is it's been posted a couple different places. It's been in the newspaper. This is a public hearing that was also posted in the newspaper and around town so kind of at some point, you need to I guess as a business, it's up to you a little bit to be able to seek out these opportunities. We can't really go door to door and tell everybody about it. That just wouldn't be feasible but the opportunities are there. There are lots of business opportunities for small businesses around the County. This is just one of them. It's a great opportunity and if

someone is looking, it's posted on the County's website I believe on our Planning and Development website and also on the CODI website.

Chairman Chagnon: Thank you, Stephanie. Okay, anyone else wishing to address the public hearing? Seeing no one, I will close the public hearing.

Closed
6:42 P.M.

LOCAL LAW INTRO. 11-23 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (Re: Training and Development Coordinator in the Department of Human Resources)

Chairman Chagnon: Are there any questions, comments or discussion on Local Law Introductory 11-23? Hearing none, would the Clerk please call the roll?

LOCAL LAW INTRO 11-23 - R/C Vote: 16 Yes – 0 No – 3 Absent (Muldowney, Proctor, Rankin) – UNANIMOUSLY ADOPTED

TABLED RES. NO. 271-23 – Authorize Acceptance of 2023-2024 Aid to Prosecution Funds, by Public Safety and Audit & Control Committees

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to bring resolution to the floor – Unanimously Carried to bring to the floor

Legislator Bankoski: Mr. Chairman, I lost my note.

Chairman Chagnon: I believe we need a motion to amend the resolution by substitution to the document that is in front of each of the Legislators.

Legislator Bankoski: So I'd like to make a motion to amend the resolution with the copy that is in front of everyone.

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to amend by substitution – Unanimously Carried to Amend

Chairman Chagnon: Now, onto discussion of resolution 271-23 as amended? Is there any discussion, questions or comments? Hearing none, all those in favor please say "aye", opposed?

Unanimously Adopted as Amended

RESOLUTIONS:

- 282-23 Amend 2023 Budget Office of the County Executive**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 283-23 Office of Emergency Services 2023 Budget Amendment**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 284-23 Amend 2023 Budget for EMS**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 285-23 Authorize Lease of Cage and Office Space at 201-209 East Fourth Street, Jamestown for the Chautauqua County Sheriff**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 286-23 Authorize Agreement with Chautauqua Lake Central School for a Trial Program with Regular Police Presence at the School District Buildings FY24**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 287-23 Authorize Agreement with Chautauqua Lake Central School for Enhanced Police Protection Services FY24**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 288-23 Authorize Agreement with Various Towns for Court Security Services FY24**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 289-23 Authorize Agreement with Various Towns for Enhanced Police Protection Services FY24**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 290-23 Amend Chautauqua County Department of Mental Hygiene and Social Services 2023 Budget for Increased Safety Net Costs**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 291-23 Amend 2023 Mental Hygiene Budget Appropriations to Account for Increase Costs Associated with Mental Hygiene Law 43.03**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 292-23 Amend 2023 Budget to Purchase Promotional Items for the 2024 Total Solar Eclipse Using Funding from the 3% Occupancy Tax Reserve**, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

293-23 Authorize Use of Chautauqua County 3% Occupancy Tax Reserve Funding For Merritt Winery's America's Grape Country Craft Beverage Festival, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

Legislator Niebel: Mr. Chairman, I'm told that this event generates approximately \$25,000 to \$30,000 in additional sales tax revenue for Chautauqua County. So for \$5,000 investment, I think this is a good return on our investment.

Legislator Vanstrom: To echo the comments of my esteemed colleague, Mr. Niebel, I have to say tourism is one of our biggest generators and I welcome anyone to come here and recreate and enjoy themselves, visit family or former classmates or whatever they may find enjoyable here so I agree with Mr. Niebel.

Chairman Chagnon: Thank you, any other comments, discussion on the resolution? Hearing none? All those in favor please say aye. Opposed?

294-23 Amend Spending Plan and 2023 Budget Chautauqua County American Rescue Plan Act (ARPA), by Audit & Control Committee – UNANIMOUSLY ADOPTED

295-23 Authorize Extension of the Agreement between the North County Industrial Water District No. 1 and CBI Water Works for Water Purchase and Field Services, by Audit & Control Committee – UNANIMOUSLY ADOPTED

Legislator Bankoski: Yes, Mr. Chairman, I would like to amend this resolution to add the following clause "*RESOLVED, That an additional \$10,000 per year will be charged to the North County Industrial Water District No.1 for unmetered water use*"

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to amend resolution by adding a RESOLVED clause

Chairman Chagnon: Now, discussion on the motion to amend the resolution. Are there any questions or comments on the proposed amendment? Hearing none, all those in favor of the proposed amendment? Opposed?

Unanimously Carried to Amend

Chairman Chagnon: Now, for resolution 295-23 as amended, are there any questions or comments? Hearing none, all those in favor, please say "aye", opposed?

RES. NO. 295-23 Unanimously Carried as Amended

296-23 Amend 2023 Budget for North County Industrial Water District No. 1 for Water Tank Renovations, by Audit & Control Committee – UNANIMOUSLY ADOPTED

MOTION:

A. Affirm Support for Israel and Condemn Anti-Semitism

Clerk Lee: Motion A on the agenda has received the required amount of signatures to bring to the floor. Motion A, “Affirm Support for Israel and Condemn Anti-Semitism”

Legislator Parker: I’d like to make a motion to table this motion.

MOVED by Legislator Parker, SECONDED by Legislator Bankoski to Table Motion A

Chairman Chagnon: Okay, we have a motion to table this motion and a second by Legislator Bankoski. There's no discussion on a motion to table, so all those in favor of tabling this motion please say aye. Opposed to tabling?

Unanimously Tabled

ANNOUNCEMENTS

Chairman Chagnon: That brings us to announcements. Are there any announcements for the good of the order from any legislators?

Legislator Davis: Thank you, Mr. Chairman. I'd like to invite any and all interested residents of the County to the Town of Carroll on Saturday, November 25th at 11 o'clock for what's called the Frewsburg Old Fashioned Santa parade. There will be horse drawn wagons, horse riders and tractor powered floats. It's always a great time every year and we'd love to have people come down to the Town of Carroll. Thank you.

Chairman Chagnon: Thank you.

Legislator Hemmer: I'd like to invite everybody to Westfield for this weekend's festivities as Santa comes to town on Friday night. On Saturday there's the Hall of Christmas and several local activities and horse drawn carriage rides and just lots of fun downtown in Westfield, please come. Thank you.

Chairman Chagnon: Legislator Vanstrom.

Legislator Vanstrom: I would also like to invite anybody interested in Santa Claus events and his good graces to come to Falconer for the 5:00 pm parade and Santa will arrive at the Santa house somewhere after that or when he's available he's been a busy man this year so go Falconer, thank you.

Chairman Chagnon: Thank you. Other announcements? Any other announcements? Seeing none, we will move on to the second privilege of the floor.

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

Lisa Vanstrom: District 15, just to set the record straight and with all due respect, I've always supported law enforcement. Everyone in this body has heard me repeatedly say that. I also support the Ellicott Police Department which serves my area. The Ellicott Town Board Supports law enforcement and the Ellicott PD 100%. This Administration and the next 100% as a community and as we continue to support them in their efforts to keep us safe and maintain order and we know things have been disorderly in more communities than we wish them to ever be. If anyone has ever had a relative, friend, neighbor, gym pales because God knows law enforcement likes to be in the gym keeping strong and steady to do their job, you will hear true events about their day jobs and things that they have to deal with that are outrageous or unfathomable encounters. That's what their career is, that's what they face bravely. Further, tonight's agenda called for many various municipalities and entities schools courts and towns for extra police security, that's obvious. Our young men and women in law enforcement go through very advanced multifaceted training to serve our communities in their best capacity. I have cousins, uncles, neighbors, and friends that made careers of this field and their sacrifices outweighed their benefit for all these reasons I continue to support respect and appreciate law enforcement. In conclusion we are experiencing a shortage of candidates and I've talked to my colleagues about this so if any of you know any young person that's looking for a solid career with goals in mind that wants to engage in this career please contact any local police department or the sheriff's department or the state troopers. It's a good career for solid young people in our community and we have a shortage in this field so I just want to say thank you for your time and God bless our law enforcement officers and God bless you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening, my name is Karry Chase. I came to see you a couple months ago representing Falconer and the Falconer neighborhood watch committee. Over the last couple of months since we've seen you, we've worked really hard in our Village and our community to create an awareness of what's going on in our village. We've worked hard to create a sense of

awareness, a sense of community, a sense of sympathy and empathy for our neighbors as well as creating a sense of togetherness and growth which is one of our main reasons which we're trying to make some changes in Falconer because we absolutely want to grow. So I sent in a packet of information to all of you which it sounds like everybody has received with all of the petitions and emails that were sent from Village residents. There were 156 signatures on there and a few different emails. Those came from many residents who have the same concerns over the Budget Inn being the focal point in our Village. I thank you for taking the time to read those. There are plenty more that could have come. When I was out and about collecting those, I heard from a lot of citizens that they were afraid to submit their signatures. They were afraid of the crime that might come with that and the other thing that I heard was we're just- we don't know why we should sign it we don't know that anything will happen. So part of our role in the community has been to keep encouraging those people and letting them know that they're not alone and that we're working together. My goal tonight in coming here is to again just let you know that I'm still here, I'm still working with our Village, I'm still hoping for our Legislator's support. We want to know as a village- I've changed my thought process a little bit to what can I do- what do we need to do to help make a difference? We are- we recognize that this is not just a Falconer issue this is everywhere. Since I've started doing the neighborhood watch every day, I'm getting pictures from people that you know they're upset about things happening in the community. I'm getting pictures of the police cars at the Village on an almost daily basis. The garbage that's surrounding our Village just everywhere around the Budget Inn, the carts and the loitering. The loitering is the biggest concern. We can't walk down the streets anymore without being faced with people. They're on the benches, they're loitering and a lot of them have nothing else to do during the day and now with the Colony burning, we are definitely seeing an increase in that. So in Falconer, what's important to me for everybody here to know is that in Falconer we want to be good neighbors. We care about what's happening to them. We want that to be reciprocated though and so we're looking for some help whether it's through the owner of the Budget Inn, through our Village, through our Legislators, whatever we can do so I've set up a meeting to meet with DSS at the end of November and we're also doing different things in our community to be good neighbors. We've set up some clothing drives, we're going to be doing some things with the soup kitchen so that we can be those better neighbors. I went to our library the other day. Our library was opened up and there were homeless people sleeping in the library. Like I said, we just want everybody to be aware that we're still here, we know they need a better lifestyle, we need a better safety community. Again, just wanting everybody to know that we're still here and whatever we can do our folks in Falconer want to know how they'll know what's happening or if anything's happening or if there's a light at the end of the tunnel? So I just wanted to bring that question to the group thank you for your time.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Good evening, Anthony Toda, my address is 144 Clifton Avenue, Jamestown New York. I'm making my comments and opinions based on media reports. Some issues under the Biden Administration that have changed the U.S. for the worst are first American and foreign deaths in the hysterical Afghani withdrawal that President Trump's plan would have prevented. Second,

North Korea's alignment with Russia in arm sales and a nuclear ballistic missile program versus personal negotiations by President Trump to create peace, economic expansion, and uniting the Koreas. Third, unanswered Putin military buildup in Ukraine which has lined the pockets of defense contractors on both sides when Putin would have been stopped from attacking by President Trump. Our own media scares under Biden reporting that if the U.S. directly interfered Russia would use nukes that Trump would have prevented. Now, Republicans want to stop funding in Ukraine after tens of billions spent and innocent Ukrainian lives lost in a war that Trump would have never allowed to happen. Now, just hand over the Ukraine to the commies. Fourth, an immigration crisis perpetrated by Joe Biden and supported by Governor Kathy Hochul, Senator Charles Schumer and Gillibrand. The U.S. attorney General, Eric Garland, and the Department of Justice causing a financial and human crisis, an explosion of crime, disease, white slavery, fentanyl overdose deaths that everyone has had contact with, yet people still support Biden. Fifth, high inflation under Biden versus low inflation under Trump. Finally, the disaster in Gaza where according to the media 50% of the population are children and the unemployment rate in Gaza was 46% while the Israeli unemployment rate is 3.2%. All this versus Trump's Abraham accords bringing peace to the region. The Mossad, the Israeli intelligence agency, second in performance in the western world only to the CIA apparently missed a border attack on Israelis by some who even paraglided to the area. How do you miss that kind of attack unless someone might possibly be using that attack as an excuse to attack Palestinians? Thank you.

Chairman Chagnon: Thank you. Anyone else wishing to address the second privilege of the floor?

Legislator Pavlock: I'd just like to comment on Communication number one. The report that we received in the Audit and Control Committee was very promising news. I want to just give a round of applause to the Finance Department and the work that they do in our investments and the direct results from what they do with the investments of County money directly affects our tax rate. They earn a lot of money for- whether it's a short period of time, if we have money sitting around for a month, they have it in an investment a short term -if it's sitting around for a year or two it's in a long-term investment. It's always working to earn money for the County, so I just want to thank that department and the hard work that they do and it is a real blessing to the County that they put a lot of effort into that and earn a lot of extra revenue that is utilized by the County. So, I just wanted to bring note to that.

Chairman Chagnon: Well said. Thank you. Anyone else wishing to address the second privilege of the floor?

MOVED by Legislator Torres, SECONDED by Legislator Davis to adjourn.

Unanimously Carried (7:06 p.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature & Kristi Zink, Deputy Clerk