

Agenda

Public Facilities Committee

May 13, 2024, 4:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
 - B. Approval of Minutes (04/15/24)
 - C. Privilege of the Floor
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- 1. Proposed Resolution – Confirm Re-Appointments – Airport Commission
 - 2. Proposed Resolution – Authorize Lease of Airport Parking lot at Chautauqua County Jamestown Airport
 - 3. Proposed Resolution – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.84
 - 4. Proposed Resolution – North Chautauqua Lake Sewer District Plant Capacity Study Grant Authorization and Appropriation of Local Match
 - 5. Proposed Resolution – Approving SEQRA Findings in Relation to the Third Modification of the Map and Plan for the North Chautauqua County Water District
 - 6. Proposed Resolution – Determining that it is in the Public Interest to Make a Third Modification to the Map and Plan for the North Chautauqua County Water District
 - 7. Other –

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Re-Appointments – Airport Commission

BY: Public Facilities Committee:

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

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointments to the Airport Commission.

Kyle Crandall
4461 W Fairmount Ave.
Lakewood, NY 14750
Term Expires: 3/23/26
(Re-Appointment)

Gregory Jones
50 Lakeside Drive B-305
Bemus Point, NY 14712
Term Expires 3/23/26
(Re-Appointment)

John Watkins
2381 South Hill Road
Jamestown, NY 14701
Term Expires 3/23/26
(Re-Appointment)

John Churchill
3230 Chautauqua Ave.
Ashville, NY 14710
Term Expires 3/23/26
(Re-Appointment)

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Lease of Airport Parking Lot at Chautauqua County Jamestown Airport

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Jamestown Airport Commission has considered and recommended that the County lease the Jamestown Airport Parking lot to the New York State Department of Motor Vehicles for the purpose of providing commercial driver license (CDL) testing on a daily basis, Monday through Friday, in continuation of an ongoing program, and

WHEREAS, per Local Law 6-2000 the public hearing requirement of General Municipal Law 352(5) is waived due to the short-term nature of the lease; therefore be it

RESOLVED, That the County Executive is authorized to execute a lease agreement with The New York State Department of Motor Vehicles, 6 Empire State Plaza, Rm. 224, Albany, New York 12228 for a proposed 11 month term.

1. Rent: Payment of \$1,250.00 per year, in compliance with Article 11-A of the New York State Finance Law.;
2. Term: 11 month term commencing on or about April 24, 2024.
3. Other: As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.84

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the Project for the Replacement of the Kiantone Road County Bridge 994 over Stillwater Creek, BIN 3325090, in the Town of Kiantone, Chautauqua County, PIN 5764.84 (the Project) is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program, now estimated to be \$375,000 to be borne at the ratio of 95% Federal funds and 5% County funds; and

WHEREAS, the County of Chautauqua will design, let and construct the Project; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Project PIN 5764.84; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the Project; and be it further

RESOLVED, That the County Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Project or portions thereof; and be it further

RESOLVED, That in the event the full federal and nonfederal share costs of the Project exceed the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and be it further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary agreements, certifications or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and be it further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and be it further

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

INCREASE THE USE OF FUND BALANCE:

D.-----915.0000	Assigned Fund Balance Unappropriated	\$ 18,750
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; and be it further

RESOLVED, That the Director of Finance is directed to make the following changes to the 2024 Capital Budget:

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, Funded Bridge Program \$375,000

INCREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R458.9002 Federal Aid – Surface Transp Program \$356,250

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: North Chautauqua Lake Sewer District Plant Capacity Study Grant
Authorization and Appropriation of Local Match

BY: Public Facilities and Audit & Control Committees:

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

WHEREAS, the North Chautauqua Lake Sewer District (NCLSD) wastewater treatment plant may be nearing its capacity; and

WHEREAS, the Town of Chautauqua is looking at expanding its sewer collection system, which flows to the NCLSD treatment plant; and

WHEREAS, Resolution 185-23 authorized the County to apply for grants toward reviewing the capacity of the NCLSD wastewater treatment plant; and

WHEREAS, the County successfully applied for a \$50,000 New York State Environmental Facilities Corporation (EFC) "Engineering Planning Grant" (EPG) for an engineering study (the Study) as a first step in addressing the plant capacity (Planning Grant #129080); and

WHEREAS, the estimated total Study cost is \$50,000.00; and

WHEREAS, the grant, to be issued to the County of Chautauqua, has a twenty percent (20%) local match; and

WHEREAS, the NCLSD Board approved acceptance of the grant funds and allocation of matching funds, via inclusion of the grant in the treatment portions of its 2024 budget; now, therefore be it

RESOLVED, That the County Executive of the County of Chautauqua is designated as the authorized County representative for this EFC grant and is authorized to execute an EFC EPG grant agreement and any and all other contracts, documents and instruments necessary to bring about the Study and to fulfill Chautauqua County's obligations under the grant agreement; and be it further

RESOLVED, That the Chautauqua County Legislature authorizes and appropriates a twenty percent (20%), ten thousand dollar (\$10,000) local match, as required by the Engineering Planning Grant Program, for the NCLSD Wastewater Treatment Plant Capacity Study, plus such additional amounts in excess of the grant and matching funds as may be needed to complete the Study, from funds designated for such purpose in the NCLSD's budget; and be it further

RESOLVED, That the Director of the NCLSD may increase this local Study match, within budget appropriations and/or through in-kind services, without further approval from the Chautauqua County Legislature.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Approving SEQRA Findings in Relation to the Third Modification of the Map and Plan for the North Chautauqua County Water District

BY: Public Facilities Committee:

AT THE REQUEST OF: Legislature Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature adopted Resolution 118-24 calling a public hearing for the purpose of considering a third modification to the Map and Plan for the North Chautauqua County Water District (“the District”); and

WHEREAS, notice of said public hearing was duly published and mailed as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York on May 22, 2024 at 6:35 o’clock PM, prevailing time; and

WHEREAS, the County Legislature has received from the District Board a modified map and plan document entitled “North Chautauqua County Regional Water System Map and Plan-Amendment #3” dated April 2024 (hereinafter the “Map and Plan”), which proposes to modify the original District map and plan as previously twice amended, such Map and Plan having been prepared by Clark Patterson Lee (CPL) engineers duly licensed by the State of New York, and has additionally received testimony and other information at the public hearing and otherwise; and

WHEREAS, the County Legislature has determined the proposed modified project to be a Type 1 action as defined by 6 NYCRR 617.4, such that the significance of the environmental impact of the project must be determined in accordance with 6 NYCRR 617.7; and

WHEREAS, pursuant to 6 NYCRR Part 617, the County Legislature, as lead agency, must evaluate the environmental impact of this action; and

WHEREAS, the County Legislature caused to be prepared a Full Environmental Assessment Form (“FEAF”), as is required for projects classified as Type 1 actions, and found there to be no or very low probability of any adverse impact; and

WHEREAS, this County Legislature has reviewed the FEAF and supporting documentation, copies of which are attached; therefore be it

RESOLVED, in consideration of the FEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 1) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized on behalf of the County to execute a “Negative Declaration” for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Determining that it is in the Public Interest to Make a Third Modification to the Map and Plan for the North Chautauqua County Water District

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: Legislature Chairman Pierre E. Chagnon:

WHEREAS, pursuant to Resolutions 260-15, 39-16, and 81-16, the Chautauqua County Legislature established the North Chautauqua County Water District (the “District”), to comprise an area in Chautauqua County consisting of parts of the towns of Portland, Pomfret, Sheridan and Hanover and all of the town of Dunkirk, and authorized bonding in a maximum amount of \$11,750,000 for the cost of the initial capital improvements for the District; and

WHEREAS, subsequent to the adoption of Resolutions 260-15, 39-16 and 81-16, the County Legislature on August 23, 2017 adopted Resolution 231-17 to modify the initial capital improvements due to changes in the structure of the financial assistance to be received from New York State’s funding agencies, and changes in the timing of projects to be completed in the District’s development; and

WHEREAS, pursuant to Resolution 82-19 adopted on March 27, 2019, the County Legislature determined that it was in the public interest to make a second modification to the initial capital improvements due to further changes in the structure of the financial assistance to be received from New York State’s funding agencies, and additional changes in the timing of projects to be completed in the District’s development; and

WHEREAS, the District Board has presented and recommends to the Chautauqua County Legislature a third amendment to the Map and Plan entitled “North Chautauqua County Regional Water System Map and Plan-Amendment #3” dated April 2024 (hereinafter referred to as the “Map and Plan”), prepared by Clark Patterson Lee (CPL) engineers duly licensed by the State of New York, consistent with General Municipal Law §118 and with the request that this Legislature call a public hearing thereon pursuant to County Law § 253-b and § 254; and

WHEREAS, the said third modifications to the Map and Plan consists of (1) installation of approximately 23,000 linear feet of 8-inch and 12-inch water mains in the Towns of Dunkirk, Portland and Pomfret, and (2) installation of water meters in the Towns of Dunkirk, Portland, Sheridan and Pomfret; and

WHEREAS, the estimated maximum cost of the improvements as now modified for the third time would increase from \$19,399,500 to \$27,599,500, and the estimated annual District debt service payment would increase from \$395,050 to \$562,394, with all District costs anticipated to be paid by municipalities receiving water from the District under contract with no assessments by the proposed District upon properties within the District, and the estimated cost to the typical property from assessments or other charges to be made by the proposed District upon such properties to remain at zero; and

WHEREAS, pursuant to Resolution 118-24, the Chautauqua County Legislature called a public hearing at the Legislative Chambers, Gerace Office Building in the Village of Mayville, Chautauqua County, New York on May 22, 2024 at 6:35 o’clock P.M. on the question of the adoption of the modified Map and Plan that includes the aforementioned changes to the improvements, and to take such action thereon as is required or authorized by law; and

WHEREAS, such notice was given as stated therein and as required by law and the public hearing was held and all persons appearing thereat were heard; now therefore be it

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, upon the modified Map and Plan entitled “North Chautauqua County Regional Water System Map and Plan-Amendment #3” dated April, 2024, prepared by Clark Patterson Lee (CPL) engineers duly licensed by the State of New York, modifying the Map and Plan dated May 2015, as previously twice amended, and upon the evidence given at the aforesaid public hearing and other information received, it is hereby found and determined that it is in the public interest to construct the improvements as modified for the North Chautauqua County Water District as described in the preambles hereof at a maximum cost of Twenty-seven Million Five Hundred Ninety-Nine Thousand Five Hundred Dollars (\$27,599,500), which includes all amounts anticipated to be required to be expended in connection with the construction and financing of District improvements.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date