

Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, May 22, 2024 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:34 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on May 22, 2024. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present. (Absent: Johnson)

Legislator Vanstrom delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Wilfong and duly carried the minutes were approved. (04/24/2024)

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.

COMMENDATIONS:

MARSHA SCOTT
AND
GREG PETERSON
OFFICE FOR AGING SERVICES - VOLUNTEERS OF THE YEAR
BY
COUNTY EXECUTIVE PAUL M. WENDEL, JR.

Clerk Lee: There are no veto messages from County Executive Wendel from the April 24, 2024 meeting.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 04/24/2024

Clerk Lee: Our office has received the 5 communication as listed on the agenda, if you would like a copy of any of these items, please let our office know.

COMMUNICATIONS:

1. REPORT – HEALTH AND HUMAN SERVICES – 2023 ANNUAL REPORT
2. LETTER – HARRIS BEACH ATTORNEYS AT LAW – APPOINTMENT OF BOARD MEMBERS - COUNTY OF CHAUTAUQUA INDUSTRIAL DEVELOPMENT AGENCY
3. LETTER – NYS AGRICULTURE AND MARKETS – ACKNOWLEDGEMENT OF RESOLUTION 123-24
4. AFFIDAVIT OF PUBLICATION (2) – LEGAL NOTICE – PUBLIC HEARING NOTICE RE: THIRD MODIFICATION TO MAP AND PLAN FOR IMPROVEMENTS IN THE NORTH CHAUTAUQUA COUNTY WATER DISTRICT (POST JOURNAL AND OBSERVER)
5. REPORT – FINANCE DIRECTION, KITTY CROW, RE: MARCH 2024 INVESTMENT REPORT

Chairman Chagnon: Alright, next on our agenda we're having a public hearing regarding the Third Modification to Map and Plan for Improvements in the North Chautauqua County Water District. Is there anyone wishing to address the public hearing, now that I have opened it? Anyone to address the public hearing regarding the Third Modification to Map and Plan for Improvements to the North Chautauqua County Water District? Seeing no one, I will close the public hearing.

Opened

6:39 p.m.

PUBLIC HEARING

A Public Hearing Regarding Third Modification to Map and Plan for Improvements in the North Chautauqua County Water District

Closed

6:40 p.m.

RESOLUTIONS:

125-24 Confirm Re-Appointments – Airport Commission, by Public Facilities Committee – UNANIMOUSLY ADOPTED

126-24 Confirm Appointment – Chautauqua County Board of Health, by Human Services Committee – UNANIMOUSLY ADOPTED

127-24 Authorize Lease of Airport Parking Lot at Chautauqua County Jamestown Airport, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

- 128-24 Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.84**, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 129-24 North Chautauqua Lake Sewer District Plant Capacity Study Grant Authorization and Appropriation of Local Match**, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 130-24 Amend 2024 Budget for use of the Amended Technology Innovations and Election Resource Grant Award from the New York State Board of Elections**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 131-24 FY21 Cyber Security Grant Program**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 132-24 Distribution of Mortgage Taxes**, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 133-24 Emergency Services 2024 Budget Adjustments**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 134-24 Authorize Acceptance of New York State Indigent Legal Services Second Statewide Expansion of the Hurrell-Harring Grant for the period of April 1, 2024 to March 31, 2027**, by Public Safety and Audit & Control Committees

Legislator Niebel: Mr. Chairman, I'm voting in favor of this motion this evening but I am concerned about large number of public defenders that have been hired the past few years. I remember when the number of assistant district attorneys was roughly equal to the number of assistant public defenders. Today, that ratio is about 2 to 1 in favor of the public defender's office with the acceptance of this grant, the ratio increases to roughly 3 to 1 in favor of the public defender's office so I think at some point, we may have to address this disparity. Thank you.

Legislator Larson: We can address the disparity this evening as a simple answer. The courts of New York decided a few years ago when I was already a City Court Judge, the courts of New York decided that every individual had arraignment even if you were being arraigned on a very simple shop lifting charge and the judge is going to release you on your recognizance. We judges can no longer arraign a defendant without a public defender being present and no DA is present for arraignments. So no DA is asked – Jamestown City Court was ahead of the curve all my 8 years of City Court Judge I had duties on Easter Sunday morning, Christmas morning, nights, and weekends. There were people to be arraigned, you go in you arraign them, and once the court decision came down that every defendant had to have an attorney at arraignment, some public defender had to join me on Easter morning at 9 o'clock or Christmas morning or Christmas Eve. No DA has that obligation. So, a lot of public defenders are needed. The rural legislators are familiar with probably the central arraignment part that was largely invented by Judge Gerace out of the Town of Ellicott and again, to the best of my knowledge, they arraigned people every day of the year and a public defender has to be there. So, there's a good

explanation. The remaining year and a half of my term, I will be looking for similar good explanations of how I was the legislator as Terry Niebel and I figured out in January, we reached agreement, I was the legislator that casted the deciding vote to sell the County home and when that sale closed, at the end of 2014, over 200 people left the county payroll. I was surprised to learn in the last 6-7 months there are more people on the county payroll today than after we closed our sale of the county home and took over 200 people off of the payroll. I will assume that maybe even half of the 200 and some that have been added are necessary, do valuable work but I have questions about whether we really needed 200 new employees since 9 years ago with the closing of the sale of the county home. But when it comes to the public defenders office, there's the best answer I can give you, that the burdens on the public defenders office are incredible compared to 6, 7 years ago and that's just the way it is. We have no control over that. If we don't arraign people within 24 to 48 hours, then you run the risk that the people are – well we have a former public defender in our midst and sitting up as our advisor tonight. You don't have any luxury of saying the heck with it over the weekend or whatever and you would show up when I called you, didn't you?

Kristy Martin, Assistant County Attorney: Absolutely.

Legislator Larson: Absolutely, so that's the way it works Legislator Niebel and happily the State of New York at least in this county much (*inaudible*), did not send an unfunded mandate to the counties. They send money to pay for these public defenders that the state court system is ordered that we have. Thank you, Mr. Chairman.

Legislator Niebel: Mr. Chairman, I understand about the arraignments and all that information is true, but as far as the district attorneys office, there is additional burdens on them especially as far as discovery so again, my observation, and this is just my observation, I think the scales of justice have tilted more in favor of the public defender instead of the district attorney and I think at some point, we may have to take a look at that and make an adjustment.

Legislator Larson: Because I firmly believe in intellectual honesty, the point that Legislator Niebel made is absolutely correct. At about the same time that there was a statewide requirement for Attorneys that were all arraignments no matter how minor and even if the judge was going to turn the person loose, release on their own recognizance. Legislator Niebel is absolutely right, there were new time limits on discovery demands on the District Attorneys office as across the State. How the different county DA's have dealt with it, I honestly don't know. I was mandatorily retired from City Court 2 and a half years ago because at age 70, I'm no damn good anymore. But Legislator Niebel is right, the District Attorneys office assuming the same number of staff as 5 years ago, they have more of a burden to make sure their cases are protected and not dismissed for failure to miss deadlines so thank you Legislator Niebel for pointing that out, that obligation by the DA's across the state.

Legislator Niebel: One last point, I see that Mr. Larson and I are in agreement on a lot of points, I just wished I could have talked to him 10 years ago concerning the County Home.

Chairman Chagnon: Okay, back to resolution 134-24, are there any other questions or comments regarding the resolution? Hearing none, all those in favor please say “aye”. Opposed? Carried.

134-24 Authorize Acceptance of New York State Indigent Legal Services Second Statewide Expansion of the Hurrell-Harring Grant for the period of April 1, 2024 to March 31, 2027 – UNANIMOUSLY ADOPTED

135-24 **Authorize Execution of NYS Office of Homeland Security Funding Grant Explosive Detection Canine Team FY21**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

136-24 **Authorize Execution of NYS Office of Homeland Security Funding Grant Bomb Squad Initiative FY21**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

137-24 **Authorize Execution of NYS Office of Homeland Security Funding Grant Bomb Squad Initiative FY22**, by Public Safety and Audit & Control Committees

MOVED by Legislator Bankoski, SECONDED by Legislator Wilfong to amend by Substitution

Chairman Chagnon: So your motion is to amend by substitution to the document that’s laid on the desks?

Legislator Bankoski: Yes.

Chairman Chagnon: So we have a proposed revision to the resolution and Olivia, could you read the addition to the original resolution?

Clerk Lee: The amendment includes the addition of 1 resolved clause at the very end.
“RESOLVED, that the County Executive is authorized to execute an agreement to secure the grant funding with the New York State Office of Homeland Security.”

Chairman Chagnon: And it’s my understanding that this resolved clause was inadvertently omitted from the original resolution as prefiled. So any questions or comments on the motion to amend by substitution? Hearing none, all those in favor of amending 137-24 by substitution, please say “aye”.

Unanimously Carried to Amend

Chairman Chagnon: Now, to the amended resolution 137-24, are there any questions or comments on the amended resolution? Hearing none, all those in favor please say “aye”. Opposed?

137-24 *Unanimously Carried as Amended*

138-24 Authorize Agreement with Various School Districts for School Resource Officer Services 2024-2025, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom to block resolutions 139-24 through 151-24 – Unanimously Carried to Block

139-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail S16A GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

140-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in-Aid Program for Trail C4 Chautauqua GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

141-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail C4B GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

142-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in-Aid Program for Trail C4E GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

143-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant in-Aid Program for Trail S41 GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

144-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail S47 GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

145-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail S48 GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

146-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail S49 GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

147-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail C4 Sherman GPS Update, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED

- 148-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in Aid Program for Trail S52 Sherman GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 149-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in-Aid Program for Trail S52 Harmony (east) GPS update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 150-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in-Aid Program for Trail S52 Harmony (north) GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 151-24 Accept State Environmental Quality Review Determination for the NYS Snowmobile Trail Grant-in-Aid Program for Trail S52 Harmony & North Harmony GPS Update**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 152-24 Affirming Acceptance of State Environmental Quality Review of Proposed 2024 Agricultural District Inclusions**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 153-24 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 – UNANIMOUSLY ADOPTED
- 154-24 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 – UNANIMOUSLY ADOPTED
- 155-24 Authorize County to Apply for Grants and Loans on Behalf of the North Chautauqua County Water District in connection with a Third Amendment to the Map and Plan**, by Audit & Control Committee – UNANIMOUSLY ADOPTED
- 156-24 Reallocating Salary Grade for Licensed Practical Nurse II (County Jail), Registered Professional Nurse II (County Jail), Registered Nurse Supervisor I (County Jail) and Registered Nurse Supervisor IV (Public Health)**, by Administrative Services, Human Services and Audit & Control Committees – R/C Vote: 18 YES; 0 NO; 1 Absent (Johnson) – UNANIMOUSLY ADOPTED
- 157-24 Setting Salary for Grant Coordinator**, by Administrative Services, Human Services and Audit & Control Committees – R/C Vote: 18 YES; 0 NO; 1 Absent (Johnson) – UNANIMOUSLY ADOPTED

158-24 **Setting Salary for Senior Grant Coordinator**, by Administrative Services, Human Services and Audit & Control Committees – R/C Vote: 18 YES; 0 NO; 1 Absent (Johnson) – UNANIMOUSLY ADOPTED

MOTIONS:

A. A MOTION OPPOSING PART O OF THE GOVERNOR’S 2024 ARTICLE VII REVENUE BILL REGARDING THE SITING OF MAJOR ELECTRIC TRANSMISSION FACILITIES, ALSO KNOWN AS THE “RAPID” ACT

Clerk Lee: Motion “A” on the agenda, “A Motion Opposing Part O of the Governor’s 2024 Article Revenue Bill Regarding the Siting of the Major Electric Transmission Facilities, also known as the “Rapid” Act” has received the required amount of signatures to be brought to the floor.

Legislator Chairman: Are there any comments or any discussion on the motion?

Legislator Nelson: Thank you, Mr. Chairman. I do not support the motion. Each of us represents a district of the county and the people of that district and in this motion, and any motion, it assumes that the whole county support it and that’s not the case here. I think the fact of the matter is, there are people in my district and throughout the city of Jamestown and other parts of the county who support the governor and her initiatives and her goals. The rapid act will help streamline the siding (*inaudible*) of major electric transmission infrastructure in New York. The changes will improve the current system by establishing a more efficient process with clear and concise timelines and it’s already been passed. So I support it and like I said, I’ll be voting “No” for the motion, thank you.

Legislator Larson: Once again, motions. What was that word I used last time? A bugaboo. So now we got another bugaboo tonight. We got 18 out of 19 of us all experts on electric generation and transmission and we’re going to tell Albany what to do. So, I would just be brief and say it’s ironic for those of you that don’t know, we’re sitting in a building today that is lit by Niagara power through the Mayville municipal electricity. This is a municipal power company, not a private one. This electricity comes down huge power lines all the way from Niagara Falls down by the throughway and heaven help us if any of those townships in Niagara County, Erie County or Chautauqua County had been able to say “Oh not in our County, you’ll have to go around us somewhere”. The electric generation of distribution system cannot work that way and I want my children and grandchildren to have access to wherever our future electricity comes from, nuclear, solar, wind, hydrogen, and natural gas, coal that is CO2 sequestered and put under ground. Wherever it comes from, it’s got to get to people and I have no expertise in this particular matter but neither do you. With all due respect, we should keep our nose out of things that don’t deal specifically with Chautauqua County and things where we

don't have more expertise than the legislators and governor in Albany. Thank you, Mr. Chairman.

Legislator Proctor: Yes, I'll be supporting the motion. I requested the motion. It does affect Chautauqua County as this does as its written, will erode as it says in the one Whereas clause, our home rule and it undermines local municipalities authority and yes motions are a bugaboo I guess. We've got 2 bugaboos on the agenda tonight but if we do stay silent on what we believe and what we want to see happen, we shouldn't. We should not stay silent on that and I think many people also support this so I don't expect 100% of the people to support this motion or this part O of the rapid act but my biggest fear is the erosion of home rule and municipalities and what they can determine happens in their local Towns, Villages and Cities. Thank you.

Chairman Chagnon: Thank you. Any other comments or discussion on the motion? Hearing none, would the clerk please call the roll?

Clerk Lee: There are 12 Yes votes, 6 No votes and 1 member absent, the motion is adopted.

Legislator Larson: Don't our rules require 13 votes to pass a motion?

Chairman Chagnon: The requirement is for 2/3^{rds}?

Clerk Lee: Yes, I believe that's correct.

Legislator Larson: And that's 13 votes?

Clerk Lee: Yes.

Chairman Chagnon: The parliamentarian is checking our memories.

Legislator Larson: I refer everyone to our rule #5 on motions subsection capitol B. A particular motion should not be considered –

Chairman Chagnon: Legislator Larson you are correct. It does take a 2/3rd majority of the entire Legislature to pass.

Legislator Larson: Thank you.

Chairman Chagnon: So the motion is defeated. Thank you for the point of order.

Clerk Lee: I apologize for that.

Motion A. – R/C Vote: 12 YES; 6 NO (Bankoski, Buchanan, Larson, Nelson, Parker, Scudder); 1 Absent (Johnson) – MOTION FAILS

Clerk Lee: Motion “B” on the agenda, “Proclaiming June 19, 2024 as Juneteenth in Chautauqua County” has received the required amount of signatures to be brought to the floor.

Chairman Chagnon: Are there any comments or any questions on motion B? Hearing none, all those in favor, please say “aye”, opposed?

Motion “B” Proclaiming June 19, 2024 as Juneteenth in Chautauqua County – Unanimously Adopted

ANNOUNCEMENTS

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

Legislator Parker: I wanted to speak hopefully on behalf of our Jamestown legislators and our Dunkirk/Fredonia legislators and invite everyone to come to the Juneteenth celebrations. There is one in Jamestown on the weekend of June 19th and there is one in Dunkirk and it’s a really wonderful celebration to commemorate the ending of slavery and it’s really a lot of fun too. So I wanted to invite everyone to come to those celebrations, thank you.

Legislator Wilfong: I’d also like to invite everyone down on Memorial Day for the activities in Jamestown. We have a huge parade and there will be military ceremonies at the Lakeview Cemetery after the parade.

Legislator Gustafson: Yes, I’d just like to invite everybody down on Memorial Day at 9 a.m. for the Town of Busti parade followed by the Village of Lakewood parade at 10 a.m. with ceremonies in both cemeteries afterward and a pancake breakfast in Busti.

Legislator Bankoski: On behalf of myself and legislator Buchanan, we’d like to welcome everybody to the City of Dunkirk on Memorial Day. 10 o’clock at Memorial Park we will have our annual placement of the wreaths at the Military monuments at 10 a.m. and then at 11 o’clock we have our annual parade. There is a chicken barbeque at the American Legion Post following that and just for the Juneteenth Festival in Dunkirk, that will also be held at Memorial Park.

Legislator Wilfong: Yes, I’d like everyone to come down on Father’s Day to come to the world famous Yassou Festival in the City of the Jamestown. It’s Father’s Day, Friday night and Saturday night and it’s a good chance for you to get Greek for the weekend. There she is right there.

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.

Chairman Chagnon: Please introduce yourself.

Good evening, my name is Amanda Christy. I reside in Gerry. I am a Jamestown base CPS caseworker. I've been employed with the County since July of 2019. I've attended multiple legislature meetings and even spoken at one before and I wanted to provide you all with some updated information related to our work environment in child protective services. CPS staff are still not at a standard 40 hour work week. We are currently allotted additional flex time to work up to 40 including those extra 5 hours. However, with the six current vacancies in our office alone, even forty is not enough most weeks. The workers in an office where there are vacancies are absorbing the work of these vacancies. Our cases are intensified which results in more referrals and contacts with families, foster care, removals, and allotting, different times for different families for additional time to support families in our communities to ensure the health, safety and well-being of our families. Our Commissioner Mr. Carmelo Hernandez, has publicly recognized during meetings and was also quoted in the local newspapers acknowledging the need for additional hours to support our families to ensure safety of the children. Mr. Hernandez was quoted stating that Jamestown is 'more like the Bronx' where as Dunkirk is more like a suburban area. Anyone in this room, can see that based on the local news the ongoing concerns for domestic violence, violent crimes involving drugs, gun usage, and excessive addiction related to drug usage, and mental health concerns are ongoing and consistent. Despite working up to 40 hours, there has not been a change in our status which results in not receiving compensation in the form of vacation and sick time. Over the course of time, this is going to directly impact many of our retirements as there are different contributions given for contractual hours worked. Those retiring utilize their sick time directly for insurance coverage following retirement as per our contact with the union. With the lack of consistency between the hours worked and compensation in the form of benefit time, there will be long term negative impact on an employee's benefits following retirement. Additionally, for the well-being of the workers, working in a high stress, high turnover job, employees should be granted time to ensure they are maintaining their own healthy mental health. As a reminder, 62% of the salary for child protection employee is paid for by New York State as it is a mandated position. So whether the staff are at a 35 or a 40-hours, the state percentage remains the same. The department is able to make these changes related directly to our hours. We have been told that the recruitment efforts continue however, the list for the spring test has already been exhausted. That test occurred in April. The next test is not scheduled until fall. The time in-between hiring to training can take many months. During this time, there is going to be additional stress placed on the workers as there is no designated trainer within the department. Many potential candidates are not able to work a job that is less than forty hours when they are looking to provide for their own families.

There is also extensive out of town training that is required when others have deemed not feasible as they have responsibilities that they have to maintain where they reside and are not able to travel that far.

Chairman Chagnon: Excuse me, you have exceeded your time. Please wrap it up.

Ms. Christy: Sorry. It should be noted that the department head is able to make these grade reallocations making a CPS grade would, in my opinion, attract more qualified individuals and address some of our staffing concerns. I'm not sure, don't we get 5 minutes when we're speaking on behalf of a group?

Chairman Chagnon: You didn't indicate you were speaking on behalf of a group.

Ms. Christy: On behalf of the Jamestown workers.

Chairman Chagnon: Okay, if you are, then please continue.

Ms. Christy: It should also be noted that the head of a Department is able to request a grade reallocation which has been done in the past for our Department, making the job as a CPS worker a higher grade, would attract more qualified individuals to assist in solving some of our staffing concerns and inevitability addressing the safety on a more consistent basis. I've worked in several organizations and have not had this type of unresolved issues that we are experiencing on a consistent basis. There has not seemed to be a concrete plan on how to solve those concerns. We've made multiple suggestions out of our office and feel that at this point in time, we're being ignored and dismissed. I know myself and those in our Department take our jobs very seriously when it comes to ensuring the safety of children. We work when we are clocked in and when we return home, we worry about the what if's and how we could have done better. The need to have follow up meetings with our commissioner has been very challenging to say the least. When there was a decrease in the allowed hours, when workers in Jamestown requested a meeting with our Commissioner, Mr. Hernandez, due to confusion of the week prior, regarding the 40 hour work week, we were told that we were not able to have a meeting with him. Our colleagues in another work location were given a meeting in a timely fashion with the same exact concerns that we had. The Jamestown based staff request another follow up meeting with Mr. Hernandez on May 15th and were told that we needed to wait until he had a meeting with our supervisors on June 12th, a meeting that they had previously requested 6 weeks earlier on May 2nd. There is a significant concern on the availability to meet with our Administration in order to provide solutions to the issues that we continue to address but have not been able to come to a solution. By my understanding, there is an offer for a time study to be completed by an outside agency, something that this department has done in the past. The approximated cost for this would be \$200,000 to the county. This time study is not set to start until the fall and would take 9 to 10 months to complete, with no definitive date given for the results. I believe that the time study will not be reflective on how our department truly functions. There are many restrictions limiting involvement and those completing the time study from

an outside agency due to confidentiality. A time study is not feasible as we have noted that we need staff. A time study is not going to assist in the safety of children in our community right now. We cannot wait more than a year to receive assistance in being proactive rather than reactive to ensure the safety of our vulnerable population. To you in a year -

Chairman Chagnon: Please wrap it up. You have far exceeded your 5 minutes.

Ms. Christy: To you and I, a year may not seem long. However, to a child who is in a dangerous situation is forever, thanks.

Chairman Chagnon: Thank you.

Good Evening, my name is Susan Baldwin and I live in Villenova. I came here today and do appreciate that you have decided to not support the Rapid Act. I have a turbine I can see out every window of my house because I am surrounded by them and if it's so affordable, our new electric bill, last year my electric bill for this time of year from April to May was \$64.00. This year, no new heat, no new car, no new appliance, in fact I have one of those on demand electric water tanks so I don't hardly use it. I wash my clothes in cold water. My bill, my use was \$127.00 for April to May, but my bill was \$347.63 because there is \$198.17 subtotal electricity delivery fee. So that subtotal electricity supply fee was \$135.29 after they tacked on a merchant function charge for April and a merchant function charge for May because they split that up into 2 months because the bill overlaps both months but it's actually every 30 days. It's from April 13, 2024 to May 13, 2024. So this is not affordable and Chautauqua County is the second poorest county in New York State followed only by Brooklyn so why are we being socked with electric bills that on a fixed income, and I make a little too much money for help but certainly I'm hoping not to have to ask for help to pay my electric bill and you want me to buy a car? No. This has got to stop and those turbines are noisy and they are drilling. PPP Future Development is with Northland Power of Canada. Canada has rented Chautauqua County, Erie County, and Cattaraugus County. All these turbines are pieces of junk and they're going to put thousands of them across New York State in order to power New York City. We need them to turn off the lights, I'm tired of paying for this. Thank you.

Sheriff Quattrone, Lieutenant Rensel is going to keep me on for 3 minutes but I would like to address 2 of the resolutions. First, 134-24 with the Indigent Legal Services. Not so much about the resolution but Mr. Larson mentioned that a centralized arraignment and I wanted to compliment the work that our correction officers and our correction staff do, they often get extra duties as a result of that and are not confiscated any additionally for that. Second, resolution 156-24 the Reallocating of the Nurses in the Jail. I would put our medical clinic and our mental health clinic at the top of the line in this county for the work that they do so I appreciate that. We've lost some nurses as a result of the salary and most of them have gone to the State and then lastly, I think I'm still on like a minute and a half, I would like to thank Legislator Bankoski, he thought I was going to be in the dunk tank but I skated out and went out of town but he helped us get a dunk tank down at the Touch-A-Truck event

down at the Jackson Taylor Park on May 11 which even with the weather, it seemed to be a good turnout. So thank you, Mr. Bankoski.

Legislator Larson: This is the second time or so that as 19 legislators or 18, whatever tonight, we've heard a request that at least part of a department go from x number of hours a week to 40 and maybe for next month's meeting or your personnel committee meeting, its probably the wrong name, I'm sorry I only am on Economic Development but maybe there could be clarification from the Law Department. My recollection from my days as County Attorney was that it was well settled by New York Law that the County of Chautauqua retains the management right to tell any Department or part of a Department, you're a 35 hour a week Department, you're a 37.5 hour Department or you're a 40 hour Department. If that is still true, then it's the challenge to the Legislature is, it's up to management, County Executive, to decide whether to have a 40 hour – the Law Department could be 40, 35, 37.5, it's a management prerogative as I remember, if I'm wrong we'll get an update but its not up to us to set the terms and conditions of employment with Chautauqua County. It's up to the County Executive and you can read the charter and confirm that. We may be totally sympathetic to the plea of a certain Department but their plea through publicity, a public request that may lead to the County Executive, the Administrative part of County Government to say "Okay, for the rest of this year or whatever, this part of this Department will be a 40 hour week". I believe that's a management prerogative that does not need to be negotiated with any bargaining representative. If we can get clarification of that by next month's meeting, that would be good for all of us to understand what our role is versus the Executive role in this request, thank you.

Chairman Chagnon: Thank you Legislator Larson for clarifying that for the public. As much as I try and point that out to individuals, I appreciate you reinforcing it, thank you.

Good Evening, my name is Anthony Toda. My address is 144 Clifton Avenue, Jamestown. I am making my comments and opinions based on media reports and the law. The Immigration Reform and Control act of 1986, signed by former President Ronald Reagan, states in part that employers must verify immigrant work status by passports, birth certificates social security cards or the appropriate documentation. In turn, the workers must also verify that they are either U.S. citizens or Nationals or authorized aliens. Recently, Kathy Hochul stated "hotel owners and restaurants are coming to me", stating "can you send me some of the migrants up here, we need them". Hochul stated "there are thousands of job openings and that the migrants are all legal people". Hochul expressed the need to quickly hire migrants to work throughout New York State. New York City Mayor, Eric Adams, claimed that 67,000 migrants in New York City shelters that were stated there, and the right to shelter was never meant to apply to large scale migrant populations arriving without housing or legal work status. Are we going to listen to more lies from Kathy Hochul? Are New Yorkers going to again violate yet another federal statute to comply with Hochul's illegal policies? During the COVID pandemic, Hochul lied and extorted first line health care workers saying that "get a vaccine or get fired", when there was no one else available to replace those workers. Hochul will use S.S. tactics to remove New Yorkers from their own homes, based upon arbitrary, capricious, and oppressive determination of the New York State Department of Health. There's a resolution number 14 that was just approved by

the City of Jamestown Council two days ago in the amount of hundreds of thousands of dollars from the State of New York to Law Enforcement. Are Jamestownians going to be arrested – some of those appropriations were for drones. Are Jamestownians going to be arrested in the future for barbecuing a weenie in their back yards caught in such act by a drone? New York State is the fourth largest welfare State in the union. Hochul wants to deny New Yorkers on welfare their right to work by using illegal immigrants. Such discrimination against New Yorkers and also by the use of modified civil service tests will give rise to lawsuits by persons who previously took a harder test for the same job. Where is Senator Schumer, the Majority Leader, on these issues and also Senator Gillibrand? They are silent and complicit in the violation of multiple federal statutes.

Legislator Parker: In response to Legislator Larson’s noting that the Legislature does not make any decisions about salaries and the like for Child Protection Services or any other Department, I wanted to make note that yes, that is absolutely true but based on the fact that the person from Child Protection has several people from Child Protection have come several times to the Human Services committee and also to the full legislature, I’d like to make note that the Human Services Committee if instructed by the Legislature, an agreement with the Legislature can continuously monitor the programs associated with Human Services under the Executive branch of County Government and evaluate the performance of such programs relative to the goals and objectives and specific performance measures adopted by the Legislature in accordance with program appropriations. There are a number of other things that specific committees can do and I think that we have discussed in Human Services those possibilities so all I’m doing is making some clarification that what is being considered right now is looking at some of these actual things that Human Services committee could do and study and make recommendations in addition there’s more information but I just wanted to make that clarification in light of the fact that the Human Services committee is going to be meeting with stakeholders possibly to discuss some of the concerns from Child Protective Services, thank you.

MOVED by Legislator Bankoski, SECONDED by Legislator Gustafson to adjourn.

Unanimously Carried (7:42 p.m.)

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