

Chautauqua County Legislature
Live Streamed on YouTube
Wednesday, July 24, 2024 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 July 24, 2024. Would the Clerk please call the roll?

Clerk Lee called the roll and announced a quorum present. (Absent: Buchanan, Nelson, Wilfong)

Legislator Bankoski delivered the prayer and pledge of allegiance.

MOVED by Legislator Bankoski, SECONDED by Legislator Vanstrom and duly carried the minutes were approved. (06/26/2024)

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.

Good evening my name is Corie Maxson and I'm a senior Child Protection case worker out of the jurisdiction of Jamestown. I have been doing this for 17 years. I thank you all for taking the time to listen to us as more based out of Jamestown CPS has raised concerns. My purpose today is basically to ask that at the next Health and Human Services committee, information and data shared to the legislature by any administration be specific to Child Protection as information that has been afforded to this legislative body already has been geared towards child welfare which has encompassed child protection, preventive services workers, community services workers, foster care workers and the information the subsequent data provided from that collective body has been very misleading in some of the information that has been afforded to you folks. So I'm just asking as are my co-workers that at the next Health and Human Services committee, the information shared is specific to CPS as it is CPS that has been raising concerns and asking for assistance, thank you.

I'm Doug Champ. 225 Bowling Street Jamestown, New York. I'm here tonight to kind of look at with you, two resolutions in front of you and I have some issues and some applause. The first one deals with septic systems which of course, I think we all realize that that's a precursor to having lake health and the necessity of that is a good thing to follow through. The second one deals with what I call allocation of local money to support the continued valuation in a feasibility

study of HABs. For those who don't know me, I was trained as an environmental biologist. I spent most my time in the energy business so I can talk endlessly about two of either one of those and also a resident of this area other than my military time on the lake, in the lake and around the lake for over 75 years. I know the lake well and the issues in front of you tonight is whether or not the allocation that you're going to get from the Army Corps of Engineers is going to enhance the whole aspect of what the lake is going through which is eutrophication because the lake has been aging for centuries. It's a shallow lake and a lot of issues are associated with shallowness and water. However, recently you gave \$1 million, Chautauqua Institution to go to the Jefferson project and the Jefferson project had certain mandates and associated values as well. Also I believe they're going to receive sustainable funding through the state of New York to the tune of \$9 million over a period of years. So the reality is this, is that if you contribute this money and remember the matching funds are on an annual basis so if I'm correct on a mass, if it's \$3 million project you are contributing a half of that value over a period of three years in increments so that's a huge share of local assistance for any federal funds, 50% match. Okay now (inaudible) and I've worked with them in the past in different places has a mandate okay and that's okay. I'm not arguing because a grant - every politician loves grants. They like them they want them and there's nothing bad about that but what we have here in Chautauqua Lake is a Game of Thrones, which are lake thrones. We have thrones for weeds, we have thrones for herbicides, we have thrones for watersheds, we have thrones upon thrones. So I ask, why are you continuing allocating money until we have a game-changing element which is lake manager? Why do you continue throw money away or to when you don't have somebody controlling the aspects? You have a Chautauqua Lake Alliance which I know quite well. They have certain mandates they run certain projects and they allocate this and they allocate that. What's the success value unless you measure the outcomes? So I ask you tonight, are you going to spend this money and a year or so down the road when your contingency accounts need an addition, where is that money coming from?

My name is Elliot Raimondo and I'm the Attorney for the City of Dunkirk. I just wanted to speak out to say that the City is in support of the county resolution specifically dealing with the City of Dunkirk. There were some modifications made to that resolution to reflect where the City is with the Dunkirk Fiscal Recovery Act. Specifically the City is working with the State and the Office of the State Comptroller to address structural deficits within the City budget. We're getting the audits up to date as we speak and we should be done with 2022 at the end of this month and we are willing to work with the County and State to ensure the Dunkirk fiscal finances are well managed, thank you.

Chairman Chagnon: Is there anyone else wishing to address the first privilege of the floor? Seeing no one, I will close the first privilege of the floor.

Clerk Lee: There are no veto messages from County Executive Wendel from the June 26, 2024 meeting.

VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL

NO VETOES FROM 06/26/2024

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Clerk Lee: Our office has received the 6 communication as listed on the agenda, if you would like a copy of any of these items, please let our office know.

COMMUNICATIONS:

1. Letters (2) – Appointment as Acting County Executive – Ana M. Morgan Esq & Jonathon DeAngelo
 2. Letter – Ashville Fire Department
 3. Affidavit of Publication (2) – Legal Notice – Local Law Intro 14-24 (Post Journal and Observer)
 4. Minutes – Conewango Watershed Commission – July 10th, 2024 Meeting
 5. Affidavit of Publication (2) – Legal Notice – CDBG Septic and Wells Public Hearing Notice (Post Journal and Observer)
 6. Affidavit of Publication (2) – Legal Notice – CDBG Septic and Wells Second Public Hearing Notice (Post Journal and Observer)
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Chairman Chagnon: That brings us to our presentation for this evening on the Chautauqua Lake Aquatic Ecosystem Restoration Effort and I would like to introduce Dr. Marion Divers in person.

PRESENTATIONS:

Chautauqua Lake Aquatic Ecosystem Restoration Effort

By

Marion Divers

Paul M. Wendel Jr. , County Executive – Mr. Chair, I would just like to take a moment and thank Dr. Divers but also a small (*inaudible*) this is not a 3 million year – unfortunately in your video production (*inaudible*) happens so we just appreciate that (*inaudible*) but thank you so much for your presentation.

Dr. Marion Divers: Thank you, I apologize. I did not realize I did that in the video either.

Chairman Chagnon: Any other questions or comments for Dr. Divers?

Dr. Marion Divers: Or please note where I have also slipped in the video.

Chairman Chagnon: Okay, Marion, thank you very much for the presentation. Okay and now we have 2 public hearings so I will convene the first public hearing which is a Public Hearing regarding a Potential Application for 2024 Community Development Block Grant

Funding through New York State Homes Community Renewal Housing Trust Fund Corporations Office of Community Renewal and the use of said Funding. Jessica, please take us away.

Opened

6:55 p.m.

PUBLIC HEARINGS

Applications for Community Development Block Grant Funding through the New York State Homes and Community Renewal Housing Trust Fund Corporation's Office of Community Renewal – RE: Chautauqua Septic and Wells

By

Jessica Wuerstle, Director of Environmental Health Services

Jessica Wuerstle, Director of Environmental Health Services: Good evening, everybody. So I've brought with me Josh from CHRIC. This is a grant that in the past we have worked very close with CHRIC on. We've developed a really great relationship with them so this is a partnership. So Josh will be presenting the second part of this public hearing for us. So let me start at the beginning, what is the program? And legislators, you should all have a copy of the document I'm about to read in your packets. The New York State Office of Community Renewal Community Development block grant program which I will here to for call CDBG uh is a federally funded program authorized by title 1 of the Housing and Community Development Act of 1974. The program is administered by the office for Community Renewal. The CDBG program provides funding to eligible communities for the development of projects that provide decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community needed services in local facilities and foster microenterprise activities and economic opportunities through the support of projects that create and or retain permanent employment opportunities that principally benefit low and moderate income persons. In New York State the application process is separated by the type of activity with requests for grants to assist with Community planning, microenterprise, public facilities and public infrastructure proposals falling under the consolidated funding application that is awarded through the Western New York regional Economic Development Council. The economic development and small business assistance applications are accepted year around. Funding opportunities for the housing activities for the state's 2024 funding allocation were announced on May 13th of 2024 and the applications are due on July 31st 2024, just around the corner. So the activities under the CDBG program must meet the national objectives and therefore must benefit low in moderate income persons, must aid in the prevention or elimination of slums or blight and must meet Community Development needs having particular urgency. There are income levels set for the individuals who would potentially qualify for the program benefits for they're based on household size and income so for a one-person household the benefits of this program would apply only to those with a maximum income up to \$46,800. For two people, \$53,500 and in accordance with the chart in front of you. The entities that can apply for these different programs are cities towns and villages with a population under 50,000 and counties with a population

under 200,000. In 2024, there is approximately \$100 million available in funding for the different types of eligible activities. The maximum funding limits for different types of entities for town cities villages that maximum is \$750,000 and for a county, the maximum would be \$1,500,000. The application process for this program and funding opportunities includes gaining public input. Do Chautauqua County through this public hearing process is seeking public input especially from low income residents on whether or not to apply for the CDBG funding under the 2024 funding allocation and if, so what type of program we should pursue. Again, eligible uses of the CDBG funding include decent and hazard-free affordable housing, access to safe drinking water, proper disposal of household wastewater, access to community needed services in local facilities and fostering microenterprise activities and economic opportunities through supportive projects that create and or retain permanent employment opportunities that principally benefit low and moderate income persons. Again, citizen participation in the planning and implementation process is critical. Therefore, the public interest is sought in before we seek funds and agree on a proposed application for use of those funds. The applications for this program are extremely competitive and there is no guarantee that our application would be successful, however we do plan if approved to prepare and submit as strong proposal as possible and we would expect awards to be announced sometime in August or September of this year. If we are awarded funding for this program, we would hope to begin implementing the program in late winter, early spring and the way that we have run this program before has largely focused on septic systems and well work so we would hope that if we were to implement this program again and that would be the way that we went then construction of those different sorts of private infrastructure would occur in spring of 2025 and fall of 2026 because winter is not a good time for this work. So that's the first public hearing. If there are questions, I'm happy to answer.

Chairman Chagnon: Are there any questions for Jessica in regards to this potential CDBG Grant application?

Legislator Larson: Mr. Chairman, looking at page 2 of the handout indicates that in 21 Chautauqua County was awarded \$238,000. 12 septic's and 5 wells were done, so 17 that's an average of 14,000 per septic or well. Sound a little high. How much administrative - what percentage of the \$238,000 that year - what percentage of 275,000 is taken by various entities for administrative purposes?

Jessica Wuerstle, Director of Environmental Health Services: So we're happy to answer those questions- that is the bulk of what Josh will be presenting in the following public hearing.

Chairman Chagnon: That's the second public hearing we'll be discussing what happened with that grant.

Legislator Larson: Well maybe we don't need to hear the bulk, maybe we just need to hear a simple answer to the question, what percentage goes for administration?

Josh Freifeld, Executive Director with Chautauqua Home Rehab and Improvement Corporation: So for the past grant, \$195,250 were for the construction. It's up to I believe, 18% is for administrative and delivery of the projects.

Legislator Larson: Thank you.

Josh Freifeld, Executive Director with Chautauqua Home Rehab and Improvement Corporation: I was just going to state also, that is divided up between the health departments and in this case, CHRIC.

Mr. Champ: Doug Champ, Jamestown, New York. There's a key element in this that needs to be kind of flushed out too. You talk about wastewater and wastewater has more expensive unit per waste than potable water does because of the treatment process associated with it. However, potable water is a sanctity of life and how we control potable water in households, how we use it, and how we flush it. In essence, we use potable water to flush our feces down the drain and I would encourage that the future use of these applications have a connection between how we waste water and how we use potable water. So it's important to understand the dynamics in a household as to where that measurement works. So, in designing your relief program for these various units that you're going to work on, you must look at potable water, how to save it, how to recycle it making use of it in a different way than what we've done because wastewater is an entity into itself and whether it's used by someone in a septic system or in a collected system, you must understand the dynamics of how all this works. So, when I heard you talk about that, I think you have to emphasize the possibility of connecting how potable water is being used and how it's being wasted. Any questions?

Jessica Wuerstle, Director of Environmental Health Services: No, I understand what you're saying you know, this program is designed for properties that are on private wells and private septic systems. So the water is being pulled from the ground and being redistributed with on the property itself.

Mr. Champ: But that still doesn't relieve the process of how water is used and how water is waste.

Jessica Wuerstle, Director of Environmental Health Services: And we certainly encourage people to use water saving appliances and water saving faucets and all of the things to protect their septic system as long as possible.

Mr. Champ: Well of course, but I'm saying that part of your educational process as you go out and mitigate these issues, should be process looking at how they can better use good potable water rather than wasting it.

Jessica Wuerstle, Director of Environmental Health Services: I understand and agree completely, water conservation is absolutely something that the health department encourages on a daily basis.

Mr. Champ: Well then that should be part of your criteria within your grant applications that you assure that to happen.

Jessica Wuerstle, Director of Environmental Health Services: So the criteria that we follow is based on the CDBG guidelines.

Mr. Champ: I understand all that. I understand the low and moderate income benefit and what the percentages are within the county and how you're going to reciprocate those uses but, I also feel it's important the dynamics for the future look at water as a sacred resource and how it's used and where it's used whether it's on a private well or a collective public municipal system.

Jessica Wuerstle, Director of Environmental Health Services: I certainly appreciate your concern and we will continue to promote water conservation efforts.

Legislator Pavlock: At this time, are you aware of any participating Towns or Cities or Villages within our county that are also applying? And maybe they aren't aware. Have they been made aware? There's some potential for some other awards that they could also contribute to you know, their own - it wouldn't be necessarily just all be on the county level which would be beneficial, you can get more done.

Jessica Wuerstle, Director of Environmental Health Services: So, and I appreciate the question, I think one of the benefits of having this project and program (*inaudible*) with the county is that septic system installation works through the Chautauqua County health department so that's one of the reasons that our relationship with CHRIC has been so successful because our staff are the folks who are going out and failing systems and recognizing that they do need to be replaced. We then write the letter and we help coordinate with the contractors to keep that process moving as quickly as possible so working with the county health department and with CHRIC that direct relationship just speeds the process along.

Legislator Pavlock: But my question was is there any other Villages or Cities applying that you know of?

Jessica Wuerstle, Director of Environmental Health Services: Not that I'm aware of.

Legislator Pavlock: Because they can apply for up to \$750,000 themselves. So the county could be awarded the 1.5 million if I'm not mistaken and then also the individual Cities or Villages or Towns could also be awarded up to \$750,000 too. So I think it would be wise to promote it to other municipalities.

Jessica Wuerstle, Director of Environmental Health Services: Sure, we could certainly do that. You're right, it's not something that we have done in the past but we can certainly share the information with the Towns and municipalities who may be interested.

Legislator Pavlock: You know, it is a good idea because through committee, through this other resolution, there's always a waiting list maybe this would help close those loose ends.

Jessica Wuerstle, Director of Environmental Health Services: Sure.

Chairman Chagnon: Any other comments or question for this public hearing?

Ms. Baldwin: Good evening, my name is Susan Baldwin. I live in Villanova, Chautauqua County and I am very interested in this lady's - giving an opportunity for water because my water - I've been here like two years ago, I told you they drilled around in my water and when they did that, they ruined my water. My water has got chromium, strontium, lead, arsenic, barium, iron and manganese and I took that to the Chautauqua County health department and the Cattaraugus County health department because I also found that the entire Village of South Dayton just over into Cattaraugus County has 661 residents that have bad water including iron so bad a friend of mine held up a pair of her pants and they might as well have been rolled up in a like a rag in a rusty pipe. Anyways, this is what's happening around here in Chautauqua County and Cattaraugus County so you need to look over there too. Getting back to it, my neighbors all over are complaining about this water problem here and it is under the turbines in Villanova. We're under the turbines and it is been horrible, horrible. I have pictures of dead trees all over the place and I post on stop the wind turbines sites. Pictures of Villanova which are horrible, horrible. My daughter's lawn has trees dead, dead. And they look like telephone poles with branches because the bar keeps falling off. But anyways, that's the groundwater problem you're going to be looking into and you may want a lot of attention for that because we need the help so if you are able to find a way to clean that water out again that'd be great because it's all over and it's mostly under the turbines just so you know. But, all of Chautauqua County has PPP Future Development Incorporated are working the gas wells under Chautauqua County and that I know because I got a letter from them saying "we'd like to buy your gas wells, we'll give you money and you can stop paying out for taxes, just cancel that tax problem right out we'll buy your gas wells right out from underneath you, you'll get one check and be done with it". I didn't get the letter but my friend did and he gave it to me and I told him don't you dare sell.

Chairman Chagnon: Okay, let's stay on the topic of the public hearing.

Ms. Baldwin: Oh, the water.

Chairman Chagnon: Septic's and wells.

Ms. Baldwin: Septic's and wells, well they're messing up the wells, just want you to know.

Chairman Chagnon: And you'd like help.

Ms. Baldwin: And I'd like help and I am one of the poor people in Chautauqua County, okay. I'll be calling you, I hope.

Jessica Wuerstle, Director of Environmental Health Services: If we get another round of funding, yes.

Chairman Chagnon: Thank you. Anyone else? Any other comments or questions on the first public hearing? Hearing none, I will close the first public hearing.

Closed

7:13 p.m.

Opened

7:14 p.m.

**A Public Hearing Regarding the Implementation of the Chautauqua
County 2021 Community Development Block Grant Funding program, “Chautauqua
Septic and Wells,” funded by the New York State Homes and Community Renewal
Housing Trust Fund Corporation’s Office of Community Renewal**

Chairman Chagnon: And then I will now open the second public hearing regarding the Implementation of the Chautauqua County 2021 Community Development Block Grant Funding Program, “Chautauqua Septic and Wells,” funded by the New York State Homes and Community Renewal Housing Trust Fund Corporation’s Office of Community Renewal.

Josh Freifeld, Executive Director with Chautauqua Home Rehab and Improvement Corporation: Good evening, everyone. Thank you so much for having me my name is Josh Freifeld, I’m the Executive Director with Chautauqua Home Rehab and Improvement Corporation and we are the organization better known as CHRIC that has helped administer many of these septic and well programs with the county. So I have an update to the project known as number 222 WS 324-2, that is the CDBG contract number for this grant that has just basically wrapped up. We're excited that we could partner with the county on so I have some information, some updates with regards to the financial side of things as well as some of the demographics of the clients that were assisted throughout the process as I had mentioned earlier there's \$195,250 for actual construction for this program. There was - when we first wrote for the program, there was the hope that we could hit a certain threshold. It was 20 units and as we slowly went through the program, it was quite apparent that a lot of the contractors that we work with, the prices were elevated and as such we had to actually reduce the number that we anticipated hitting from 20 to 17 this round. 17 was still a good number. Of that breakdown, we had 5 well replacements and 12 septic’s that were replaced. We had an average per project, it was about \$11,485. The whole septic average was about \$13,000 so septic’s were a little bit more expensive certainly than in years past and even the wells were a little bit higher. There were some that needed to be drilled at different depths and had to be moved around a couple of times and that kind of raised the costs but overall we were excited to complete 17 projects. All of

the projects were completed by the end of June which was great. There's a 30-day closeout period and we are in that time frame right now so that's why we wanted to present this second public hearing during that time frame. Included in those costs are things like permit fees and there are design fees. We have a good relationship obviously with the county. The health department, they would go out, fail septic's things like that. We would have a first man out go out and work with the health department to make sure that we had a good viable system that was going to be put in so it was a very good, good program. The state continues to (*inaudible*) the Chautauqua County's praises for the well and septic programs that we've had. We are an example that they show throughout the State. We have a very good program, a very succinct program so you know, when something happens quickly, we can we can kind of get to it and work with the health department for that. Of those 17, 40 total people were assisted. It was about an average household size of 2.3 people. Everybody was under 80% median income for the county so all 17. 2 of the 17 were below 30% median income, 3 more were 50% so it was a total of 5 and then everybody else was 51% to about 75% median income for the county. I do not typically read the actual addresses but I have the municipalities that they were a part of and in the notes you have some information on that as well so in Busti, Carol, Chautauqua, Ellery, Ellicott, Hanover, Harmony, Portland, Pomfret, Stockton and Villanova were all served whether it was a septic system or a well so there was not a necessarily high concentration in any one area throughout the county. It's just these were the clients that needed the assistance that were either on our waiting list saying that they needed help with their water system or very low to moderate income also. All of those criteria kind of go into getting clients the assistance that they need. 9 of the 17 that received assistance were seniors, 3 were disabled, 8 were female head of household and we had 1 that was a veteran lead household as well. The majority of them 2, 4, 5, 12 out of the 17, their primary source of income was social security. So again, just illustrating the need that this clientele had these are programs that are extremely important for the fact that these individuals would have a tough time coming up with the funds necessary to replace either a failing well or failing septic on their own and that's why we're proud of the program that we help administer with the county and we're certainly hopeful for a successful future application as well. I did also just want to make mention while those are limits in the applications, 1.5 million, they very rarely want to see a municipality go for that entire amount. They want to make sure you have the capacity to do that based on previous grants that you have completed, previous projects that you've done and while the new grant application we will be hopefully securing for this round is more than the other one if we were to put an application in for \$600,000 or \$700,000, it might not be seen as favorable as an application that we've kind of been pretty consistent with in the past in providing assistance from anywhere to 15 to 20 clients every few years so I did want to make mention of that as well. Are there any questions on any of the information I presented?

Legislator Parker: I apologize if this is out sequence or if you said this but what's the usual time frame for this kind of thing from first application to actual work done and completion? Because you have a very specific number of sewers and septic systems that you're working with.

Josh Freifeld, Executive Director with CHRIC: Correct. So it really just depends on when the program kind of kicks off. Typically you see about a 3 to 6 month period from the time we

would receive the application. The health department goes out to either fail the septic system or we do the well inspection and hopefully within 6 months it's to contract. There are some extenuating circumstances. Again, depending on if it's in the winter, it's a lot harder to do some of these projects so it might delay it a little bit until they get some better weather but, typically we try to see it within 3 to 6 months from the time we get the application to getting all the necessary inspections out there.

Legislator Parker: Okay, thank you.

Chairman Chagnon: Any other questions or comments for the public hearing? Doug, microphone please.

Mr. Champ: I got to get my money worth from driving up from Jamestown. Question about the septic and the wells. The average cost for repair, renewal (*inaudible*) varies a little bit, I assume. Then you have a contractor relationship certified by the health department in order to put these in. Is that done on an individual basis by choice and that they work with their own selected contractor so that work is then done? Or is there a possibility for you to have an aggregate contractor to do installations for all of this work at a lower cost? The other part of my question is any operation on a mechanical system whether it's water or septic or well, needs maintenance. Needs maintenance and operational control to make sure that it stays in operation. So I would encourage that when you do this work, that there be some kind of acknowledgement that the people who have it done, understand what they have to do to maintain it. Now, I don't know if that's part of your relationship but it should be. So that's kind of like my question as to whether or not how that works.

Josh Freifeld, Executive Director with CHRIC: Yes, I'll address the second question first. That is of discussion at any program that we administer, we make sure that the client knows that there would be an ongoing maintenance. In this case, the well and septic program for any housing rehabilitation program that we help administer, there are various things that they have to just maintain over the course of the period. This is obviously something that we want to see last for a significant period of time but, it is up to the responsibility of the homeowner as well to do proper maintenance over the course of those years. So that is something that is explained to them at the time of application as well at the contract signing just to reiterate that fact that this is something that you don't just leave you know, for 15 years and not maintain at all. To the first question, typically the process goes as follows. We have contractors, well- incepted contractors that are certified to do the work that have a very good relationship with the county, the health department. They have to get on our list to be qualified. They submit all the proper credentials they have to have all the insurances that are required, workers compensation, general liability, those types of things and once they have a good track record, they can start bidding for us on these programs. Typically we don't do a bulk bid type of process mainly because if we were to do that, that would potentially delay the time frame when we could assist people because we don't get all 20 applications in at the same time. For this grant that we just wrapped up, we received like 7 applications kind of off the bat at different times over a course of a few months. A few more trickled in and we try to do a little bit of advertising to get the final through the door.

So what we do is we based the first man out situation that gets drawn up in the case of the septic systems, we utilize that schematic basically that can be the bidding document for contractors. Typically we we'll have anywhere from 3 to 5 contractors bid on an individual project and then we take the lowest responsible bidder based on a whole host of criteria.

Jessica Wuerstle, Director of Environmental Health Services: I would say also unfortunately, following Josh's second question first approach, unfortunately, when we go out and fail these systems, that's often times the best point at which we do that outreach of the importance of maintaining it in the future because frequently the reason we're out there failing something is because it has not been maintained. So when our staff is out there meeting the homeowner, doing the dye test, uncovering the components and looking at them, that is our opportunity to engage in public education as well and we absolutely do that.

Chairman Chagnon: Any there any other questions or comments for the second public hearing? Seeing no one, I will close the second public hearing and thank Jessica and Joshua for your participation and your presentations, thank you.

Closed

7:26 p.m.

Chairman Chagnon: Now on our agenda, we have a need to renew and amend resolution 181-24 titled "To Accept New York State Department of Health Lead Rental Registry Program"

RENEW & AMEND RES. NO. 181-24 – To Accept New York State Department of Health Lead Rental Registry Program

Chairman Chagnon: So first we need a motion to renew resolution 181-24.

MOVED by Legislator Bankoski, Seconded by Legislator Vanstrom to Renew Resolution 181-24.

Chairman Chagnon: Is there any discussion on the motion to renew resolution 181-24? Hearing none, all those in favor please say aye, opposed? It is renewed.

Unanimously Carried to Renew Resolution 181-24

Chairman Chagnon: And now we will need a motion to amend resolution 181-24 in line with the changes that have been laid on the desks. So we would be looking to amend the resolution by substitution to what has been laid on the desks.

MOVED by Legislator Scudder, SECONDED by Parker to Amend Resolution 181-24 by substitution – Unanimously Carried to Amend

Chairman Chagnon: Now that it is renewed and amended, we need to have a discussion and consider if we're going to approve of the renewed and amended resolution. So any

discussion on the renewed and amended resolution 181-24? Hearing none, all those in favor, please say aye, opposed?

Resolution 181-24 – Unanimously Adopted as Amended

RESOLUTIONS:

192-24 CONFIRM APPOINTMENTS OF ACTING COUNTY EXECUTIVE, by Administrative Services Committee – UNANIMOUSLY ADOPTED

193-24 CONFIRM APPOINTMENT – CHAUTAUQUA COUNTY FIRE ADVISORY BOARD, by Public Safety Committee – UNANIMOUSLY ADOPTED

194-24 CHAUTAUQUA COUNTY FOOD POLICY COUNCIL DORMANCY, by Planning and Economic Development Committee

Legislator Parker: I just wanted to make a comment about the Food Policy Council. I was on the council and the Planning Committee was a big part of that and they have made a very good case to put this council in dormancy because of the lack of – not the lack but, because of the actual – sorry because this actually makes a lot of sense at this point and there will be other avenues for addressing food policy issues. So it will only be in dormancy and will not be permanently eliminated and I am in support of this, thank you.

Resolution No.194-24 – UNANIMOUSLY ADOPTED

195-24 ACCEPTANCE OF CARTS 5311 2022 OPERATING ASSISTANCE AND 2022 CRRSAA FUNDING, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

196-24 ACCEPTANCE OF CARTS 5311 2023 & 2024 OPERATING ASSISTANCE AND 2023 CRRSAA AND ARPA FUNDING, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

197-24 ACCEPTANCE OF CARTS 5311 2023 CONSOLIDATED GRANT, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED

198-24 AUTHORIZE STANDARDIZATION OF SCBA COMPRESSOR FOR OFFICE OF EMERGENCY SERVICES, by Public Safety Committee – UNANIMOUSLY ADOPTED

199-24 AUTHORIZE ACCEPTANCE OF THE GUN INVOLVED VIOLENCE ELIMINATION (“GIVE”) GRANT FUNDS FOR 2024-2025, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED

- 200-24 AUTHORIZE ACCEPTANCE OF NEW YORK STATE REIMBURSEMENT FOR THE RAISE THE AGE INITIATIVE**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 201-24 AMEND 2024 BUDGET TO IMPLEMENT THE CORONER VEHICLE PROJECT, USING FUNDING FROM THE AMERICAN RESCUE PLAN ACT (ARPA)**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 202-24 AMEND CHAUTAUQUA COUNTY DEPARTMENT OF PUBLIC HEALTH 2024 BUDGET TO INCLUDE NYSDOH PUBLIC HEALTH CORPS FELLOWSHIP PROGRAM FUNDING**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 203-24 NEW YORK STATE DEPARTMENT OF HEALTH NURSE FAMILY PARTNERSHIP GRANT**, by Human Services and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 204-24 AUTHORIZE GRANT APPLICATION FOR 2024 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL SEPTIC AND WELLS PROGRAM**, by Human Services Committee and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 205-24 REQUESTING AFPB TO REMOVE PARCELS FROM AGRICULTURAL DISTRICT 8**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 206-24 AUTHORIZING PUBLIC HEARING REGARDING THE POTENTIAL APPLICATION FOR 2024 COMMUNITY DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE NEW YORK STATE OFFICE OF COMMUNITY RENEWAL AND THE USES OF SUCH FUNDING**, by Planning and Economic Development Committee – UNANIMOUSLY ADOPTED
- 207-24 AUTHORIZE PUBLIC HEARING TO ENTER INTO SOLAR LEASE AGREEMENT AT THE CHAUTAUQUA DUNKIRK AIRPORT (DKK) WITH NEW YORK STATE ENERGY RESEARCH AND DEVELOPMENT AUTHORITY (NYSERDA)**, by Public Facilities Committee

Legislator Scudder: Thank you, Mr. Chairman. I'm going to be voting against this tonight. I'm not voting against the Dunkirk Airport, I am just voting not in favor of the solar part of this, thank you.

Legislator Pavlock: Mr. Chairman, thank you. I also will be voting no on this resolution based on just the thought and the notion of the solar project only, not anything to do with the County Airport. But, just the fact that I disagree with the solar projects that have been so heavily funded by other taxpayer's dollars and programs that I just can't continue to support them. I wish that we would research other potential energy sources so, thank you.

Legislator Johnson: I just agree with the two prior gentleman. As a frequent user of the Dunkirk Airport, I love it. Chautauqua County is blessed with two really big county Airports. Most counties don't have that but solar projects in the most northern cloudiest part of the county, just simply don't make engineering sense.

Legislator Parker: I just want to make a comment about solar in general in Chautauqua County. I just visited the Audubon Center today and they have solar panels on their roof and they receive 50% of their energy over the course of a year from those solar panels so I will be voting in favor of it, thank you.

Chairman Chagnon: Any other questions, comments or discussion on the resolution? Hearing none, with the clerk please call the role?

~~RES. NO. 207-24 R/C Vote: 6 YES; 10 NO (Gustafson, Harmon, Johnson, Landy, Niebel, Pavlock, Penhollow, Proctor, Scudder, Vanstrom); 3 Absent (Buchanan, Nelson, Wilfong) DEFEATED~~

Legislator Larson: Mr. Chairman, I'd like to change my vote to "No" so that leaves open the possibility I can move to renew this resolution as a prevailing member in the vote tonight.

Chairman Chagnon: Okay, Clerk so noted.

~~RES. NO. 207-24 – R/C Vote: 5 YES; 11 NO (Gustafson, Harmon, Johnson, Landy, Larson, Niebel, Pavlock, Penhollow, Proctor, Scudder, Vanstrom); 3 Absent (Buchanan, Nelson, Wilfong) – DEFEATED~~

208-24 AUTHORIZE INTER-MUNICIPAL AGREEMENT WITH CITY OF DUNKIRK, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

209-24 AUTHORIZES USE OF CHAUTAUQUA COUNTY AMERICAN RESCUE PLAN ACT (ARPA) TO FUND THE EAST CHAUTAUQUA LAKE SEWER STUDY, by Planning and Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

210-24 AMEND 2024 BUDGET TO PROVIDE THE FEDERAL COST-SHARE FOR THE AQUATIC ECOSYSTEM RESTORATION FEASIBILITY STUDY FOR CHAUTAUQUA LAKE, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED

211-24 AMEND 2024 BUDGET FOR VARIOUS DEPARTMENTS, by Administrative Services and Audit & Control Committees – UNANIMOUSLY ADOPTED

212-24 SETTING SALARY FOR EMS EDUCATION COORDINATOR, by Administrative Services, Public Safety and Audit & Control Committees

RES. NO. 212-24 – R/C Vote: 16 YES; 0 NO; 3 Absent (Buchanan, Nelson, Wilfong) – UNANIMOUSLY ADOPTED

Legislator Bankoski: Can I get a brief, 5 minute recess so I can get with my caucus and the City of Dunkirk Attorney regarding the next resolution, please?

Chairman Chagnon: Okay, I will grant that. Please don't go far beyond the 5 minutes but we will take a 5 minute adjournment.

Takes a brief break.

Chairman Chagnon: Thank you for staying to the 5 minutes and I see a couple more joining us so I will reconvene the meeting at this point and I would like to interrupt the next course of events by bringing your attention back to the resolution number 181-24 that we renewed and amended. It turns out there was a typographical error in the presentation.

Legislator Bankoski: Good thing I asked for that recess.

Chairman Chagnon: Yes, it's a good thing because that gave the Post Journal reporter an opportunity to tell me that there was a typographical error in the calculation. So with great appreciation to Greg Bacon, if you would look at that resolution to renew and amend the first line which is proposed to have changed is for account A.4090.----.1 Personal Services – Environmental Health, the number that is presented is \$195,397, it should be 387. The total was off by \$10. So I would entertain a motion to correct the typographical error in the resolution that we just renewed, amended and passed to make that correction to make it 387.

MOVED by Legislator Scudder, SECONDED by Legislator Bankoski to Amend the amount to \$195,387 – Unanimously Carried to Amend

Chairman Chagnon: Thank you for allowing me to take care of that housekeeping now and I'll turn the agenda back over to the Clerk.

213-24 REQUESTING FINANCIAL AUDIT OF THE CITY OF DUNKIRK BY NEW YORK STATE ATTORNEY GENERAL'S OFFICE, by Audit and Control Committee

Legislator Bankoski: Yes, Mr. Chairman, after the brief conversation we had with the City Attorney and our caucus, I'd like to make a motion that we table this resolution due to conflicting information that we were given.

MOVED by Legislator Bankoski, SECONDED by Legislator Parker to Table Resolution 213-24

Chairman Chagnon: There is no discussion on a motion to table so at this time, would the clerk please call the roll on the motion to table resolution 213-24?

MOTION TO TABLE RES. NO. 213-24 – R/C Vote: 4 YES; 12 NO (Anthony, Gustafson, Harmon, Heiser, Johnson, Landy, Niebel, Pavlock, Penhollow, Proctor, Vanstrom, Chagnon); 3 Absent (Buchanan, Nelson, Wilfong) – Motion to Table Fails

Legislator Larson: Point of information, whatever you all were just talking about, in the pre-printed packet, there was a resolution numbered 213-24 that apparently everyone could now agree was factually inaccurate. The third whereas because of that we find on our desk I guess we all did, a different resolution requesting the financial audit apparently correctly reciting in its third whereas laws that were actually signed into law already in 2024 dealing with this matter. Which version were you all talking about tabling?

Chairman Chagnon: The resolution that is in the packet, was on the floor for discussion when the motion was made to table. And I'm of the understanding that we are going to anticipate a motion to amend by substitution.

Legislator Larson: I would think, thank you.

Chairman Chagnon: You're welcome. So, further questions or discussion on the resolution as presented in the packet?

Legislator Parker: Thank you. I have read both the amended packet and the original or the possible amendment and also the original. I called the Attorney General's Office today and I was told by the Attorney General's office that the County Legislature and the County Executive there is no provision for them just calling or sending a letter to the AG asking for an investigation. This is very much like the motions that we are trying to eliminate. This is like a wish list. The County Legislature and the County Executive have the wish that the AG investigate the City of Dunkirk. I am not trying to ignore or avoid any kind of legal investigation but this overreach without evidence whatsoever is a County overreach and it has no meaning and that is why I'm voting against it. The City welcomes an AG investigation to me that says that when you call whether you're a County Legislature, County Executive or just Joe on the street, they are going to refer you back to local law enforcement and in the instance of a State issue, they will likely call the State Police. I don't know the specifics of that but that's what I was told. So this is meaningless and the State and the City of Dunkirk is working diligently. The County's not giving them this bond that they say they need, the state is helping them with that. I believe in New York State law and there is a New York State law that was passed that allows the comptroller to have complete communication and control over what happens if the comptroller decides he wants to do - he thinks there needs an investigation as we know from December when the comptroller came in and told the Legislature that the North County Water District was being funded by County taxpayers, they required - we know that the comptroller takes care of all these things, we know that the IDA has been dinged by the comptroller. We know what the comptroller's job is, he works for New York State. We have a law that was passed that will

completely oversee Dunkirk for the County to do something like this. Again, is a motion, the County Legislature and the County Executive wish that the AG would just do an investigation. I can't support that.

Legislator Heiser: Yes, thank you. I'd like to make a motion to amend by substitution to the sheet that was put on our desks.

MOVED by Legislator Heiser, SECONDED by Legislator Anthony to Amend by Substitution – Unanimously Carried to Amend

Chairman Chagnon: So now, we have on the floor for discussion, the amended version of 213-24.

Legislator Larson: Thank you, Mr. Chairman. Everything that Legislator Parker said is absolutely correct. This is in fact a motion disguised as a resolution. Our motions which hopefully are largely gone away, are expressions of sentiment over things we have no legal authority over. There's no allegation here that any County money is in jeopardy in the City of Dunkirk's unfortunate financial circumstance. The allegation that the City of Dunkirk asked Chautauqua County on multiple occasions for financial assistance, that applies to 27 Towns and 2 Cities. How many Villages have we got left now? I'm not sure. Forestville went away and Cherry Creek went away so maybe 13 Villages. We wind up handing out money to all these municipalities so maybe when the town of Ellery finds out that it had a Clerk that stole money, is this Legislature going to call for the Attorney General to come into Ellery to take a look to see at how a Clerk managed to steal thousands of dollars because the county once in a while sends occupancy tax money or whatever to the waterways and whatnot in Ellery? I don't think we're going to do that. So Mrs. Parker is absolutely correct. However, what I'm going to do is reluctantly honor the request of the council for the City of Dunkirk who walked in here tonight and told us that this language is acceptable to the City of Dunkirk Administration so I'll vote for it, thank you.

Legislator Scudder: Yeah, thank you, Mr. Chairman. Because in the same way the only official Dunkirk leadership that I heard from was their Council and they were in favor of this, if they're in favor of it, I will be voting in favor of this also, thank you.

Legislator Bankoski: Yes, Mr. Chairman. I'm going to be voting no on this. Again, I think there's a lot of miscommunication amongst the Mayor and the finance committee and there's still a lot of questions that should be answered before we move forward on this. I think we would do our due diligence by allowing them at least a couple months to get their house in order. I believe that Mayor Wdowiasz and her new council people have been working diligently to rectify this situation that was kind of dumped on them but, I think by doing this, we're just putting more roadblocks in front of them and it's not going to benefit the City of Dunkirk so I'll be voting no.

Legislator Parker: I just wanted to add to what Legislator Bankoski said. We have been having conversations with a number of council members. There is one council member here I

believe that Mr. Raimondo speaks for the Mayor also and I feel that based on conversations with other council members, that is still unclear what the City wants and that is why Mr. Bankoski asked if we could table this and I agree with what he says about the path forward.

Legislator Niebel: Mr. Chairman, the City of Dunkirk will at some point, be requesting I think, direct financial assistance or shared services from the county. The City has severe financial problems, that's part of the record. The City of Dunkirk is part of the county. I would like to help them but, before I do, I want to know how the City has gotten to the point where it has and what is being done to correct that situation? And we have as mentioned earlier, we've heard from the City Attorney. He's in favor of this resolution, therefore, I will be supporting it as well, thank you.

Legislator Pavlock: Thank you, Mr. Chairman. This evening I'll be voting in favor of this resolution as well. Primarily based on the information that my colleague Mr. Niebel stated and also I just want to make sure that the taxpayers that are living in the City of Dunkirk are being thought of in sense that this fall, some new tax bills are going to be going out and it's not going to be too favorable for them and I think that as a County Legislator, I think that it's important that we ask the State to look into the situation to see if anything transpired and if not, that's great. But, like Mr. Niebel stated, if the county is in need of supporting the City of Dunkirk, I'd be much more able to do so, knowing that this investigation was completed so thank you.

Legislator Parker: I just wanted to add that I appreciate that everyone is so concerned about what the City of Dunkirk wants right now. I think a couple of days ago there was absolutely no concern of that and I hope that in the future that the City of Dunkirk's, what they support is actually considered greatly rather than ignored as it was in the initial introduction of this resolution.

Chairman Chagnon: Thank you. Anyone else? Any other comments, questions or discussion on the amended resolution? Hearing none, would the clerk please call the roll?

RES. NO. 213-24 – R/C Vote: 14 YES; 2 NO (Bankoski, Parker); 3 Absent (Buchanan, Nelson, Wilfong) – ADOPTED As Amended

214-24 CONFIRMING THE FORMATION OF A SPECIAL COMMITTEE TO REVIEW THE CHAUTAUQUA COUNTY CHILD PROTECTIVE SERVICES PROGRAM

Legislator Gustafson: As a member of the Human Services Committee, I feel it is important that we note that our committee has requested the supervisor of CPS provide us with monthly updates on the plan that is already in place to rectify the concerns that have been raised by the CPS workers. I feel that we need to honor that commitment with the department and I do not think at this time that we should be creating a subcommittee, thank you.

Legislator Parker: I am in support of establishing a subcommittee for the CPS case workers because 50% or 7 out of 14 which is the total of CPS workers that are active, not what was told to us at the Human Services Committee, 7 out of 14 Jamestown CPS workers have asked for our help repeatedly over the course of 7 months. They are still asking for help. The Legislature has a responsibility of oversight and we have an opportunity to develop a short-term positive collaborative special committee to do this action. I was told the story the other day without identifying or non-confidential information by a CPS worker. She told me that she had gone to get – well, I'll give you the first part. I asked her about the Jamestown Police Department and she said the Jamestown Police Department's excellent. They're usually there. CPS calls them apparently in Jamestown approximately two times a week and this particular day she went to a house and she could hear screaming inside that house. She could not go inside the house until a police officer came. Any EMS, anybody who's taken CPR or a AED knows you have to have a safe scene before you go in and with the CPS workers, they have to have a police officer to make that visit safe. She sat there. There was a large emergency in the Jamestown Police Department and they could not come so she waited an hour listening to people screaming. Children, adults, possibly a domestic violence situation, I don't know she didn't specify. This is a problem we could discuss in a subcommittee. This is a problem we could sit down and listen to our case workers in Dunkirk and Jamestown. A short-term positive subcommittee collaborative and as I said before, the Legislature has a responsibility of oversight. I believe my colleague is speaking to that too, thank you.

Legislator Vanstrom: Good evening. I just want to comment, I work directly in downtown Jamestown. Sirens go off all day long and the police are hustling and bustling. They do an excellent job in the City especially with the high number of calls and emergencies that they have to tend to on a daily basis, thank you.

Legislator Gustafson: Mr. Chairman, I just want to say I absolutely have the highest regard for the CPS workers and for law enforcement and that my decision to vote against this in no way reflects that. I do want to say though, during our committee meeting, there was indication that there have been no union grievances, there have been no human resource complaints and by doing this, by intervening in what the department has already set forth for their plan, we are setting a precedence that the Legislature has input on departmental plans. That at this point is why I don't feel we should have a subcommittee, thank you.

Legislator Parker: I would just like to say that is not a full story about what are the complaints and the discussions mainly complaints that have been made through the chain, the leadership chain, so it's interesting that we were told there were no HR complaints but I have some long-standing HR complaints that I was told about. I don't have any wish to look at this and say who did this, who didn't. I know these CPS workers have gone through the chain of command to make complaints and I think we need to listen to them. I think they are necessary in order to find solutions that are positive for all of CPS, thank you.

Legislator Pavlock: I won't be supporting this tonight just under precedence that forming a special committee is something that is the responsibility of a Committee Chair. We've

established that and as a Committee Chair, I wouldn't want the full Legislature to circumvent my decision to form or not form a special committee. Those are the premises that I'll be favoring. I also agree with Miss Gustafson on her viewpoint that as serving on the Human Services Committee, we expect to be updated of the situation monthly for at least the next few months and if needed, more. So thank you.

Legislator Landy: Mr. Chairman, I also have to agree with Legislator Gustafson on this because I've done my homework and there has not been any grievances or complaints to HR so I don't know where Legislator Parker is getting her information but I did my homework on that.

Legislator Parker: I mean, we could find this out if we formed a subcommittee whether or not the actual chain of command but I believe in the CPS and I don't know in detail when you're a worker you talk to your supervisor, your supervisor talks to your certification director, the director talks to the commissioner. Those complaints have taken place. Not every complaint has to go straight to HR, there is a chain of command to be followed, thank you.

Legislator Niebel: Mr. Chairman, again why does it have to be a subcommittee? Why can't it be dealt with in Human Services? And I'd like to ask a question, we have the Human Services Chairman, is he in favor of the subcommittee?

Legislator Proctor: No, I'm not.

Legislator Niebel: Marty, and as a follow-up, is the majority of your Committee in favor of a subcommittee?

Legislator Proctor: Nom they're not.

Legislator Niebel: Okay, so I guess in summary we've got one person on Human Services who is requesting a subcommittee, 1 out of 5. Again, I think let's deal with this within the committee. Mr. Chairman, last month I questioned whether the Legislature should be involved in an issue that I feel is an executive branch issue and I feel the same way this evening. Now I'm not saying that this issue can't come under the purview of the Legislature at some time but, I don't think that time is now so I'll be voting against this resolution.

Legislator Parker: Okay, I think this is really interesting that we're talking about handling this in the Human Services Committee and I think I would like to invite - I'm not inviting anyone because I'm not the chair but, I think if we have another forum, if we want to invite discussion in Human Services, I would be all for that, thank you.

Legislator Larson: Thank you, Mr. Chairman. Just drawing on my legal history, I congratulate our County Attorney assigned to help us. Until a month or 2 ago, I had not found a part of our rules that makes the comments by my tablemate and by Legislator Niebel off the mark. If you look at the title of the resolution, it calls for a special committee, not a subcommittee and under our rules, section 2 on committees rule 1B the Legislature may from

time to time create special committees. Any resolution creating a special committee shall specify the powers and duties of the committee and the number of its members. So yes, it's true and that's what I thought before our excellent council pointed out this alternative provision. It is true that any committee Chair has authority to set up a subcommittee. I believe Legislator Parker kind of tried to go that route and didn't get anywhere so this other part of our rules, it's in the rules and it's perfectly anticipated from time to time. The Legislature can set up a special committee on any topic that it wants to be investigated outside of a regular committee or a subcommittee appointed by a committee Chair. I have the strange feeling that if this resolution and I hope I'm being cynical, I have a feeling if this resolution was sponsored by any one of the 14 Republicans in this Legislature, it would have sailed through about 20 minutes ago. I hope I'm wrong on that. Thank you, Mr. Chairman.

Legislator Johnson: So my fellow Fred has pointed out that it's possible to do this that way. I just think and I agree from the gentleman in the far side of the room, it's not the time. When the Legislature decides to take up operational reigns of what's going on in the Executive function, we really need good reasons. We need to hear from the County Executive. Sounds like you're already dealing with a department head and you've got a plan, good. So the people have been heard, steps have been taken and if for some reason that blows up, the County Executive is going to have to talk about it and then maybe at that point it's time for a committee in the worst case, if that's the case, but to me, not now.

Legislator Bankoski: I've just been waiting for my turn. I wanted to be last because I want to share a fun fact with everybody. Several years ago, when Mr. Pantelis was in charge of the Landfill and he decided he was going to retire, we had no union grievances, we didn't have any HR problems or any of that stuff going on. We didn't even have one person from the Landfill come and speak to the Legislature saying we have a problem. His person who was under underneath him at the time, I think his name was Gustafson I think it was who worked for him. He's been there for 12 years. It was his turn to be in charge of the Landfill. Before this guy worked one day, this Legislature voted and passed to put a committee together to oversee the Landfill. There was no union issues, no grievances, no HR problems, nothing. But, we felt - I shouldn't say me because I voted against it but, the legislature voted to make this committee to oversee the landfill. Now we have over the last 5, 6 months, every month we've had at least 1 or 2 people from CPS coming here asking us for help. So and now we say no we don't want to help you but years ago we thought you know garbage was very important and now we're saying our children aren't very important? So that's all I got to say.

Legislator Gustafson: I just want to say that when I made that my comments, I stated that children of course are very important as is CPS and they are dealing with the problem. By having them report to us regularly, we're creating accountability and we are overseeing from a committee level instead of a special committee level.

Legislator Proctor: Yes, Chairman, thank you. I am the Chairman of the Human Services Committee and part of my decision not to create a subcommittee was the fact that I felt that a major part of the problem was a shortage in CPS case workers and has that has been at least

addressed to some level with the hiring of several workers although they need to pass their civil service and get through probation and so forth. The director and the department has filled many positions and it was my decision to see where that goes. So that's why a major reason why I decided not to create a subcommittee, thank you.

Chairman Chagnon: Thank you. Any other comments or questions on the resolution? Hearing none, with the clerk please call the roll?

RES. NO. 214-24 – R/C Vote: 3 YES; 13 NO (Anthony, Gustafson, Harmon, Heiser, Johnson, Landy, Niebel, Pavlock, Penhollow, Proctor, Scudder, Vanstrom, Chagnon); 3 Absent (Buchanan, Nelson, Wilfong) – DEFEATED

ANNOUNCEMENTS

Chairman Chagnon: That brings us to announcements on our agenda. Are there any announcements from any Legislators or County Executive's for the good of the order?

County Executive, Paul M. Wendel, Jr.: Thank you, Mr. Chairman. What you see on your desks are cell phone holders. This is part of our Employee Appreciation gift that were given to all of our employees. I'd also take just a brief minute without a lot (*inaudible*) to recognize a few members that have met milestones. We have milestones in the County of every 5 year increments. Olivia Lee, has been with the Legislative Office for 5 years. We also have 3 Legislators who have reached their 10 year milestone, Legislator Terry Niebel, Legislator Lisa Vanstrom and Chairman Pierre Chagnon. Congratulations.

Chairman Chagnon: Thank you, any other announcements.

Legislator Larson: Maybe everybody else had heard about this before today but thanks to - no offense, thanks to WJTN radio this morning, I first heard that Chautauqua Institution was again offering Chautauqua day, it's August 1. I stopped on my way up and they gave me a pass for the day. According to the radio story, it includes the symphony that evening. So it's nice of Chautauqua to have Chautauqua day and if others hadn't heard about it, I thought that I would at least spread the word a little bit. It's very gracious. The pass is good for all day including the evening concert so thank you, Chautauqua.

Legislator Proctor: Yes, Chairman. The weekend of August 10th, the Town of Mina will be celebrating its bicentennial so I'd like to invite everyone out to help us celebrate 200 years of being a Town.

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.

Hi my name is Natalie Luczkowiak. I'm a council woman for the city of Dunkirk. I wasn't planning on speaking but I was 5 minutes late and things can change and here I am. I want to thank Legislators Susan Parker and Bob Bankoski and the other two Legislators that said yes regarding resolution 213-24 requesting financial audit of the City of Dunkirk by New York State Attorney General's Office. A councilman Chair (*inaudible*) and I agree and I also want to thank Attorney Raimondo and Mayor Wdowiasz and the other three Council people that are not here today. I understand why they did that. I wanted you to know that the City is currently working with a few New York State agencies such as the Comptroller's office along with a financial advisement company and another analysis company where they will hand in hand with the City administration review financial records and documents, talk with City officials and staff, conduct analysis of past financial transactions and decisions, identify potential issues or discrepancies and recommend corrective actions or improvements. New York State has ensured they will not let the City of Dunkirk fail. The City is currently and will continue to cooperate fully with the comptroller office along with any and all agencies provide transparent and timely information, address any identified issues promptly, implement measures to prevent future problems and communicate openly with the public and stakeholders. So with all of this being said, I was just wondering the purpose and the intention for the AG investigation resolution. I believe that there was not any illegal activity but unawareness of best money management practices and if an investigation does come to fruition, which I doubt very much it will but, nonetheless you will find eventually an aim to ensure accountability, transparency and responsible financial management. Thank you and if you wish to ask me any questions I will be happy to answer.

Chairman Chagnon: This is your opportunity to speak to the Legislature, this is not an interactive portion of our agenda.

Ms. Luczkowiak: Oh okay.

Chairman Chagnon: But thank you for your comments.

Hello again. My name is Susan Baldwin and I'm from Villanova and I'd like to point out my electric bill again. Last time I was here a couple of months ago, it was \$341 now mind you, one person living in that house. This month it is \$209. I wasn't even home for a week, I spent it at my daughter's house because she was on vacation so I didn't even turn on the television or a light. Over \$200. What good is this green idea if I've got a turbine I can look out my back window and my bill is over \$200 for a single person in a single house? Just saying, these things aren't saving anybody any money and it certainly is going to put me in the poor house if I have to keep paying ridiculous electric bills and I don't even have a driving car that works on a plug. I have gas heat so that's not doing it, just electric, just lights, a TV and an occasional batch of

laundry. So I don't even know how to do it. I pulled all my plugs. I still have this problem so please don't keep allowing renewables because they're certainly not helping any of the communities in Chautauqua County. I'm certain I'm not the only one with a bill like that because it's \$98 for delivery charge charges on this. Delivery! I'd rather pay the propane people to come with a truck and fill a tank for a month. This is crazy. Thank you, have a good summer.

Doug Champ: First of all I want to thank our County Executive for participating in the Vietnam era veterans. 179 of us were pinned and it's nice to have that acknowledgement and also I think to remember that time. Some of you were too young for that and now we're still running around as aged veterans but, that's an acknowledgement. A lot of stuff gets sent to me. For those who don't remember, I was chairman of Chautauqua County Energy Conference and Expo for 3 years and been involved in energy issues not only here but, across the Country and I get a lot of stuff sent to me from the State of New York for comment purposes. Most recently there's an empower plus program that this lady should take advantage of in terms of cost cutting and my point is this, I do not know whether the county has an energy development use subcommittee. If it exists, if it doesn't exist, it should. I would volunteer to be on that because there are so many programs so many opportunities that are going to other counties, other counties because we're not applying for certain opportunities which benefits you and your constituents. Whether or not it's a home a business, a County Industrial Park, all of this is a valuable possibility and I'm tired of not seeing Chautauqua County take advantage of this. I'm not condemning any individual or any elected purpose but, I'm saying if you don't and I don't agree with electrification as a mandate for our future but if the dollars are out there then we should obtain them for our uses. So I asked a question, I know there's no dialogue here but, would somebody tell me afterwards? Do you have an energy advisory subcommittee? Because if you don't, you're missing out. I have over 100 invitations here of different things that can happen. Carbon neutral, green cooling, the list goes on and on. You just vetoed a solar application but you have to understand the reality of what that possibility could be in other places. Kilowatts, BTU's, they all have a cost. I don't know if you realize in Chautauqua County, we got six utilities, six utilities. Can any of you name them? That's beside the point. My point is this, I put on my energy cap and I offer my ability to help this County on the energy issues in front of it. Whether you choose to accept it, it's up to you status quo stay the same or advance innovation and development.

Anthony Toda, I live at 144 Clifton Avenue, Jamestown, N.Y. I am stating my opinions based on various media and newspaper reports. On September 27, 2021, Governor Hochul's vaccine mandate stated to New York State Health Care Workers, "get vaccinated or lose your jobs". Soon afterword's, Hochul acknowledged breakthrough infections after being vaccinated. Neither Andrew Cuomo nor Governor Hochul acknowledged President Trump for quick vaccine development, a naval hospital ship for New York City and treatment centers in Central Park. Governor Hochul also advocated a phone appointment for out of staters to verify their being vaccinated before entering New York State restaurants. Next is the modification of rule 213 regarding isolation and quarantine which allows the New York State Health Department to arbitrarily and capriciously remove anyone from the safety and privacy of their own home. The next topic is illegal immigration where on October 2, 2023, Hochul stated she wants to place undocumented immigrants in 18 thousand job openings in New York State in direct violation of

federal immigration, laws and procedures. Also, Hochul attempted to illegally traffic illegal immigrants throughout New York State. I have also recently read that the New York State SUNY system is allowing undocumented immigrants to enter SUNY colleges and universities as students. This behavior by the SUNY administration is illegal, restricts and denies the opportunity of legal New Yorkers for higher education while misappropriating New York tax dollars to non-citizens. The Trump shooting where law enforcement was reportedly warned that the shooter was on a nearby road but did not stop the shooting. Also the Secret Service failed to protect the President from the shooter. Both instance sound suspicious. By my own experience, the FBI and other intelligence agencies may have groomed the shooter to kill because of the evidence of the FBI, harassment, assault and media inter caption that I have experienced. And also from 2 cases just for examples, the walk ashore Wisconsin attempted murder where evidence was never introduced at the trial of a possible website that could have groomed 2 young children to try to kill their friend and the Tops Buffalo murders where internet sites could have played a role in the shooters decision to kill. I have been trying to bring this evidence to Senator Schumer's attention for years to get to the bottom of at least crimes against myself by the FBI and other intelligence agencies. My substantial evidence was rejected by Senator Schumer's office, allowing government agency perpetrators to continue their crimes against myself and possibly any extent of their involvement mass murders.

MOVED by Legislator Penhollow, SECONDED by Legislator Larson to adjourn.

Unanimously Carried (8:36 p.m.)

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