

CHAUTAUQUA COUNTY LEGISLATURE  
09/25/2024

RES. NO. 236-24  
Appointment of Tamara M. Dickey as Legislator from  
District 11, Northwest City of Jamestown

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, there exists a vacancy in the Chautauqua County Legislature due to the resignation of David Wilfong, District 11; and

WHEREAS, a Certificate of Recommendation has been received from the Legislative District 11, Jamestown Committee recommending the appointment of Tamara M. Dickey, 18 W. 10<sup>th</sup> Street, Jamestown, NY 14701; and

WHEREAS, a Certificate of Acceptance has been received from Tamara M. Dickey; now therefore be it

RESOLVED, That in accordance with Section 2.03 of the Chautauqua County Charter, Tamara M. Dickey is hereby appointed Legislator from District 11, comprised of Ward 3 District 1, Ward 3 District 4, Ward 4 District 1 and Ward 4 District 2 in the City of Jamestown.

Signed: Chagnon

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RES. NO. 237-24  
Confirm Appointment - Airport Commission

By Public Facilities Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Airport Commission.

Jamie Gustafson  
1965 Shadyside Road,  
Lakewood, New York 14750  
Term Expires: 12/31/25  
Signed: Heiser, Anthony, Nelson, Scudder

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RES. NO. 238-24  
Confirm Reappointments - Chautauqua  
Opportunities Board of Directors

By Human Services Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following reappointments to the Chautauqua Opportunities Board of Directors.

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Marie Carrubba  
19 Widrig Ave.  
Jamestown, NY 14701  
Term Expires: 6/30/25

Kevin Whitaker  
197 Martin Rd.  
Jamestown, NY 14701  
Term Expires: 6/30/25

Robert Bankoski  
407 Lake Shore Drive East  
Dunkirk, NY 14048  
Term Expires: 6/30/25

Natalie Luczkowiak  
46 East Front Street  
Dunkirk, NY 14048  
Term Expires: 6/30/25  
(9-18-24 HS – Typo Correction)  
Signed: Proctor, Gustafson, Pavlock, Landy, Parker

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RES. NO. 239-24  
Confirm Appointments - Chautauqua County  
Planning Board

By Planning and Economic Development Committee:

At the Request of County Executive Paul M. Wendel, Jr.:

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

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointments to the Chautauqua County Planning Board.

Rudy Abersold  
43 Putnam Road  
Cassadaga, NY 14718  
Term Expires: 12/31/24  
(Replacing Susan Asquith)

Paul Gustafson  
1965 Shadyside Rd.  
Lakewood, NY 14750  
Term Expires: 12/31/2026  
(Replacing Melissa Meyers)  
Signed: Harmon, Larson, Johnson

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RES. NO. 240-24  
Adjust 2024 Buildings and Grounds Operating  
Budget (Lucas Avenue)

By Public Facilities and Audit & Control Committees:  
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the original estimated lease payment was miscalculated when originally budgeted for 2024; and

WHEREAS, an additional sum of \$66,500.00 will be needed to cover the County's lease expenses for the remainder of 2024; now therefore it be

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

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000 Unassigned Fund Balance \$66,500

; and be it further

RESOLVED, That the Director of Finance is hereby authorized to make the following change to the operating budget:

INCREASE APPROPRIATION ACCOUNT:

A.1620.6020.4 Contractual- Buildings & Grounds, Lucas Avenue \$66,500

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 241-24

Amend 2024 Budget to Implement the Conewango Dams  
Sediment Removal and Valve Rehabilitation Project, Using  
Funding from the American Rescue Plan Act (ARPA)

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

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

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

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

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

WHEREAS, the Conewango Dams Sediment Removal and Valve Rehabilitation project fits within the guidelines for ARPA spending is needed for continued compliance with NYSDEC, as well as operational and maintenance requirements with National resource Conservation Services; and budget amendments are necessary to authorize spending for the project; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

H.1440.25974.4	Contractual – Engineers, Conew Wtshd Dam 33 Sed Rem (2017)	\$501,658
A.9950.----.9	Interfund Transfers – Transfer to Capital	\$501,658

INCREASE REVENUE ACCOUNTS:

H.1440.25974.R503.1000	Interfund Transfers – Interfund Transfer	\$501,658
A.9950.----.R408.9ARP	Federal Aid – Oth Fed Aid ARPA Funds	\$501,658

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 242-24

Authorize Lease Agreement for Office Suite at the Chautauqua  
County Jamestown Airport Terminal Building

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County owns and operates the Chautauqua County Jamestown Airport in the Town of Ellicott in a manner that provides services and facilities on a non-exclusive basis for the general use of the public and to enhance current and future economic development in the County; and

WHEREAS, the County has received a Letter of Intent from Chase Aviation Company LLC., conveying its desire and intention to lease office facilities at the Jamestown Airport main terminal building for the purpose of operating an aircraft brokerage and aircraft management business; and

WHEREAS, pursuant to Local Law 6-2000 a public hearing is not required for airport leases that have a term of less than one (1) year; and

WHEREAS, a budget amendment is not required as revenues are already budgeted that will cover the increase; therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with Chase Aviation Company LLC., to lease office space in County of Jamestown Airport main terminal in conformance with FAA regulations and to include substantially the following terms and conditions:

1. Term. Three months commencing on October 1, 2024, and terminating on December 31, 2024. A public hearing and lease renewal are anticipated for an additional 3 year term, commencing January 1, 2025.
2. Premises. Terminal Building Office No. 46, a 414 gross square foot office located at the Chautauqua County Jamestown Airport, with access to a private bathroom, non-exclusive use of the baggage room No. 33, use of garage space adjacent to the main terminal building for a work vehicle, and access to the terminal apron.

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3. Payment. Tenant shall pay County a monthly fixed rental fee of Five Hundred Seventy-Five and No/100 Dollars (\$575.00).

4. Other. As negotiated by the County Executive.

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 243-24  
Authorize Lease of Restaurant Facilities at Chautauqua  
County Airport – JHW to Basil & Bones

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Airport Commission has considered and recommends leasing space in the Robert H. Jackson Terminal at JHW to Basil & Bones for use as a restaurant, event space, and commercial kitchen; and

WHEREAS, pursuant to Local Law 6-2000 a public hearing is not required for airport leases that have a term of less than one (1) year; and

WHEREAS, a budget amendment is not required as revenues are already budgeted that will cover the increase; therefore be it

RESOLVED, That the County Executive is authorized to execute a lease agreement with Basil & Bones for the Airport Restaurant Facilities at the County Airport JHW upon substantially the following proposed terms and conditions:

1. Term. Six (6) months, commencing on October 1, 2024. An extension term will be subject to approval by the County Legislature at end of the term (March 31, 2025).

2. Premises. County Terminal Building Restaurant comprising 2,909 gross square feet of open floorplan office. County, at no additional cost to Lessee, shall provide for the exclusive use of parking adjacent to the Terminal building, next to the restaurant door entrance directly to the outside.

1. Payment. Tenant shall pay County a monthly fixed rental fee of Four Hundred and No/100 dollars (\$400)

2. Other. As negotiated by the County Executive.

(9-16-24 PF – Typo Correction)

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 244-24

Authorize Public Hearing to enter into Lease Agreement at  
Jamestown Airport (JHW) with Chautauqua Aircraft  
Sales, Inc. (CAS) for lease of Building E

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the County owns and operates the Chautauqua County Airport – Jamestown located in the Town of Ellicott, New York, and desires to lease to CAS an aviation hangar for operation of an aircraft maintenance business serving the general aviation needs of the public; and

WHEREAS, a public hearing pursuant to Article 14 of the General Municipal Law is required prior to approval of a lease of airport facilities; now therefore be it

RESOLVED, That pursuant to General Municipal Law, a public hearing on the proposed lease agreement of building E at the Chautauqua County Airport – Jamestown with Chautauqua Aircraft Sales, Inc (CAS) to include substantially the following terms and conditions, shall be held at 6:35 p.m. during the meeting of the Chautauqua County Legislature to occur on ~~September 25~~, **October 23**, 2024, in the Legislative Chambers, Gerace Office Building, Mayville, New York 14757:

5. Term. Five (5) year period to commence January 1, 2025 – December 31, 2029
6. Premises. Hangar E; At the Chautauqua County – Jamestown Airport, in the Town of Ellicott, Chautauqua County, New York (“the leased premises”)
7. Payment. Tenant shall pay County on or before the first day of each month the sum of One Thousand Two Hundred Eighteen and No/100 Dollars (\$1,218.98) per month for the Leased Premises, with an annual increase of two percent (2%) per year, compounded.
8. Other. As negotiated by the County Executive.

(9-16-24 PF – Amended by strikethrough and new text in bold)

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 245-24

Affirmation of Determinations in Relation to Reduction of Infiltration  
and Inflow in the North Chautauqua Lake Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of Legislative Chairman Pierre E. Chagnon:

WHEREAS, Pursuant to Resolution 181-23 the Chautauqua County Legislature determined in accordance with County Law §268 that it is in the public interest to construct proposed improvements in the North Chautauqua Lake Sewer District for the reduction of I & I as described in a Map and Plan report and in a Notice of Public Hearing, for a maximum amount to be expended of \$5,480,000 (the Project); and

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WHEREAS, the District Board is now satisfied with the amount of grant and loan funding available for the project and is ready to proceed; now therefore be it

RESOLVED, That Resolution 181-23 is hereby affirmed in its entirety; and be it further

RESOLVED, That pursuant to County Law §259 the Clerk of the Legislature shall cause a certified copy of this Resolution to be recorded within ten days in the office of the County Clerk of the County of Chautauqua.

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 246-24

Authorizing Application to the NYS Office of the State Comptroller  
for the Repair and Replacement of Apparatus and Equipment  
of the North Chautauqua Lake Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of Legislative Chairman Pierre E. Chagnon:

WHEREAS, the Chautauqua County Legislature adopted Resolution 181-23 that approved the replacement of apparatus and equipment in the North Chautauqua Lake Sewer District at a maximum cost of \$5,480,000; and

WHEREAS, pursuant to County Law §268(3) it is required that the proposed replacement of apparatus and equipment be approved by the NYS Office of the State Comptroller; and

WHEREAS, the County Law Department and the Director of the North Chautauqua Lake Sewer District have prepared the necessary application for submission to the Office of the State Comptroller; now therefore be it

RESOLVED, That the Chairman of the Chautauqua County Legislature is authorized and directed to apply to the Comptroller of the State of New York for consent to such expenditure, and it is affirmatively stated as required by 2 NYCRR §85.3(b) in connection with such application:

1. The attached application was prepared at the direction of the Legislature.
2. The Legislature believes the contents of the application to be accurate.
3. The Legislature has determined that the proposed replacement of apparatus and equipment is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof.
4. All real property to be assessed the costs of the proposed improvements will be benefitted by such improvements and no benefitted property has been excluded.

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 247-24  
Amend 2024 Budget–North Chautauqua Lake Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the budgeted amount for roof repair replacement was inadvertently left out of the 2024 budget; and

WHEREAS, the North Chautauqua Lake Sewer District has a building in need of roof repair; now therefore be it

RESOLVED, That the ESN Fund be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

ESN.-----924.8130	Unassigned Fund Balance--Net Assets –	
	Unrestricted (Deficit)	\$40,140

; and be it also

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

ESN.8130.3850.2	Equipment - North Chautauqua Lake Swr	\$40,140
(9-19-24 AC – Typo Correction)		

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 248-24  
Amend 2024 Budget–North Chautauqua Lake Sewer District  
and the Portland Pomfret Dunkirk Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the use of certain sub-departments was discontinued in 2024 causing the budget for a truck purchase to reflect in accounts that are now obsolete; and

WHEREAS, the budgeted amounts need to be amended to the correct accounts; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

DECREASE APPROPRIATION ACCOUNT:

ESN.8120.8122.2	Equipment – North Chautauqua Lake Sewer	\$67,701
ESP.8120.8124.2	Equipment – Portland Pomfret Dunkirk Sewer	<u>\$33,851</u>
	Total:	\$101,552

INCREASE APPROPRIATION ACCOUNT:

ESN.8120.----.2	Equipment – North Chautauqua Lake Sewer	\$67,701
ESP.8120.----.2	Equipment – Portland Pomfret Dunkirk Sewer	<u>\$33,851</u>
	Total:	\$101,552

Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson



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RES. NO. 249-24  
Amend 2024 Budget to Assist the NCCWD Pursuit of Connecting  
The Village of Fredonia, Using Funding from the American  
Rescue Plan Act (ARPA)

By Public Facilities and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

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

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

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

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

WHEREAS, this NCCWD project fits within the guidelines for ARPA spending, and is needed to assist NCCWD with the cost of providing a proposal that would include the scope and estimated cost of making a connection for the Village of Fredonia; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

EWN.8310.----.4                      Contractual- North Chaut Cty Water Dist      \$20,000

INCREASE REVENUE ACCOUNT:

EWN.8310.----.R408.9ARP      Federal Aid-Oth Fed Aid ARPA Funds      \$20,000  
Signed: Heiser, Pavlock, Anthony, Nelson, Scudder, Johnson

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RES. NO. 250-24  
Authorize Lease Agreement with the Town of Chautauqua for  
Office Space for the Chautauqua County Probation Department

By Public Facilities, Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M Wendel Jr.:

WHEREAS, the State of New York has implemented Raise the Age Legislation which requires swift attendance of Probation staff in the Youth Part of Chautauqua County Court in Mayville; and

WHEREAS, pursuant to Resolution 274-19, since, 2019, the Chautauqua County Probation Department has leased space attached to the Town of Chautauqua Office Building to allow the Probation Department to effectively meet the goals of the Raise the Age Legislation; and

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WHEREAS, it is appropriate for the County to continue to lease the space, now from the Town of Chautauqua as owner, under the same terms or conditions as the previous lease; and

WHEREAS, revenues and expenditures associated with this lease are included in the approved State of New York Raise the Age Plan, the 2024 Budget and are being proposed in the 2025 Budget; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement upon the following terms and conditions:

1. Premises: Approximately 874 square feet in room #4 located at 2 Academy Street, Mayville, New York.
  2. Term: Consistent with original Lease running November 1, 2019 through October 31, 2024, with an option to renew the agreement for one (1) additional term of five (5) years.
  3. Rent: \$800.00 per month
  4. Utilities: Paid by Landlord
  5. Other: As negotiated by the County Executive
- Signed: Heiser, Pavlock, Bankoski, Anthony, Nelson, Scudder, Landy, Proctor, Johnson

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RES. NO. 251-24  
Amend ITS Budget – Communications  
System for Upgrade Project

By Administrative Services and Audit & Control Committees:  
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the actual costs related to communications system upgrade exceeded initial budgetary estimates; and

WHEREAS, the anticipated revenue from the communications system will also exceed initial budgetary estimates; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1650.----.4	Contractual - Communications System	\$70,000
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INCREASE REVENUE ACCOUNTS:

A.1650.----.R221.0TEL	Shared Services-Shared Services Telephone	\$60,000
A.1650.----.R221.0TEN	Shared Services-Shared Services Communication Oth	<u>\$10,000</u>
	Total	\$70,000

Signed: Scudder, Pavlock, Anthony, Heiser, Vanstrom, Parker, Johnson

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RES. NO. 252-24  
Amend Spending Plan and 2024 Budget for Chautauqua County  
Projects Funded by the American Rescue Plan Act (ARPA)

By Administrative Services and Audit & Control Committees:  
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Projects within the Chautauqua County American Rescue Plan Act (ARPA) Spending Plan exceeded initial budgetary estimates, as well as some projects had a surplus; and

WHEREAS, some Projects within the Chautauqua County ARPA Spending Plan are completed and can be closed; now therefore be it

RESOLVED, That the following projects within the Chautauqua County ARPA Spending Plan, recommended pursuant to Resolution No. 202-21, can be considered completed:

- #16 Snow Blower
- #26 Agricultural Improvement
- #27 Marketing Assistance
- #31 Jefferson Project
- #32 DA Office Expansion
- #39 Replace Dive Boat
- #40 EMS Gear
- #52 Overland Trail Phase III
- #57 Storage Assessment
- #59 Firefighter Protective Gear
- #72 Finish Carpeting GOB/HRC
- #76 Jail Personal Property System

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Amended Budget:

INCREASE APPROPRIATION ACCOUNTS:

H.7110.25002.4	Contractual - Parks	\$4,176
H.5130.25262.4	Contractual - Road Machinery	610
A.9950.----.9	Interfund Transfers - Transfer to Capital	<u>4,494</u>
	Total	\$9,280

DECREASE APPROPRIATION ACCOUNTS:

A.6420.COMC.4	Contractual - Promotion of Industry	\$3,337
H.1165.03001.4	Contractual - District Attorney	292
A.1620.----.4	Contractual - Buildings & Grounds	2,909
A.3150.----.2	Equipment - Jail	<u>128</u>
	Total	\$6,666

INCREASE REVENUE ACCOUNTS:

A.9950.----.R408.9ARP	Federal Aid-Oth Fed Air ARPA Funds	\$4,494
H.5130.25262.R503.1000	Interfund Transfers-Interfund Transfer	610
H.7110.25002.R503.1000	Interfund Transfers-Interfund Transfer	<u>4,176</u>

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	Total	\$9,280
<u>DECREASE REVENUE ACCOUNTS:</u>		
A.6420.COMC.R408.9ARP	Federal Aid-Oth Fed Air ARPA Funds	\$3,337
A.1620.----.R408.9ARP	Federal Aid-Oth Fed Air ARPA Funds	2,909
A.3150.----.R408.9ARP	Federal Aid-Oth Fed Air ARPA Funds	128
H.1165.3001.R503.1000	Interfund Transfers-Interfund Transfer	<u>292</u>
	Total	\$6,666

; and be it further

RESOLVED, That the Director of Finance close the capital project H.7110.25002, H.1165.03001 & H.5130.25262 listed above, and reconcile, post adjustments and begin capitalization as necessary; and be it further

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

Signed: Scudder, Pavlock, Johnson, Anthony, Heiser, Vanstrom, Parker

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RES. NO. 253-24  
Amend 2024 Budget for Office of the Sheriff

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Office of the Sheriff expenses have exceeded initial budgetary estimates; and

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

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.GRNT.8	Employee Benefits - Sheriff Grants	\$30,923
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INCREASE REVENUE ACCOUNTS:

A.3110.GRNT.R338.9000	New York State Aid-Other Public Safety	\$16,411
A.3110.GRNT.R338.9GIV	New York State Aid-Other Public Safety	\$4,789
A.3110.GRNT.R432.4000	Federal Aid-Drug Control Programs	<u>\$9,723</u>
	Total	\$30,923

Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 254-24

Authorize Execution of Chautauqua County Abducted, Missing,  
Murdered And Unidentified Women's Initiative grant FY 2024

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Office of the Sheriff received notice from Congressman Nick Langworthy's office that we were approved for a discretionary grant through the Bureau of Justice Assistance – BJA FY 24 Invited to Apply-Byrne Discretionary Community Project Grants Program; and

WHEREAS, the Department of Justice will provide funding for the FY 2024 grant in the amount of \$100,000, with no local funds, for the performance period of March 9, 2024 through December 31, 2026; and

WHEREAS, this grant is not currently included in the 2024 Adopted Budget and an amendment is needed; now therefor be it

RESOLVED, The County Executive is authorized to execute an agreement with the Bureau of Justice Assistance to secure grant funding as set forth above; and also be it

RESOLVED, The Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3110.GRNT.4	Contractual – Sheriff Grants	\$100,000
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INCREASE REVENUE ACCOUNT:

A.3110.GRNT.R438.9000	Federal Aid— Other Public Safety Aid	\$100,000
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Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 255-24

Amend 2024 Budget for the Department  
of Emergency Services-EMT/CPR Training

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, some Emergency Services-EMT/CPR Training departmental expenditures are projected to exceed initial budgetary estimates, and departmental revenue has a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.3989.EMT. ----.4	Contractual-EMT/CPR Training	\$9,980
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INCREASE REVENUE ACCOUNT:

A.3989.EMT.R168.9EMT	Departmental Income-EMT Private Pay Tuition	\$9,980
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Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 256-24  
Amend 2024 OES Budget for FY2021 SHSP Grant

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Emergency Services was awarded funds in the amount of \$170,713 under the FY2021 State Homeland Security Program (SHSP); and

WHEREAS, pursuant to Resolution 296-21, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the original term of the grant was September 1, 2021 through August 31, 2024 and has since been amended to end February 28, 2025; and

WHEREAS, some revenues and expenditures associated with this grant were not included in the 2024 operating budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.3010.----.2	Equipment - Emergency Services	\$30,717
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INCREASE REVENUE ACCOUNT:

A.3010.----.R430.5004	Federal Aid-Homeland Security	\$30,717
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Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 257-24  
Amend 2024 OES Budget for FY2022 SHSP Grant

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Office of Emergency Services was awarded funds of \$119,499 under the FY2022 State Homeland Security Program (SHSP); and

WHEREAS, pursuant to Resolution 22-23, the County Executive was authorized to execute an agreement to secure the grant funding with the NYS Division of Homeland Security and Emergency Services; and

WHEREAS, the original term of the grant was September 1, 2022 through August 31, 2025; and

WHEREAS, some revenues and expenditures associated with this grant were not included in the 2024 operating budget; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.3010.----.2	Equipment - Emergency Services	\$6,800
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INCREASE REVENUE ACCOUNT:

A.3010.----.R430.5004	Federal Aid-Homeland Security	\$6,800
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Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 258-24  
Amend 2024 Budget for the Chautauqua County Department  
of Emergency Services Fly Car and Ambulance Service

By Public Safety and Audit & Control Committees:

At the Request of County Executive Paul M Wendel Jr.:

WHEREAS, 2024 Expenditures for the Department of Emergency Services Fly Car and Ambulance Services are now projected to be in excess of the budgeted amount; and

WHEREAS, 2024 Revenues for the Department of Emergency Services Fly Car and Ambulance Services are now projected to be below budgeted amounts; now therefore be it  
RESOLVED, That the A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE

A.----.----.917.0000 Unassigned fund balance-Unassigned fund balance \$425,000

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.3989.EMS.----.4 Contractual —EMS-Fly Car & Ambulance Service \$425,000  
Signed: Bankoski, Pavlock, Nelson, Landy, Proctor, Johnson, Scudder

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RES. NO. 259-24  
Amend 2024 Budget to Implement the Morgue Project, Using  
Funding from the American Rescue Plan Act (ARPA)

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

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

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

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

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

WHEREAS, the Morgue project fits within the guidelines for ARPA spending, is needed to serve as temporary housing spot for decedents and to serve as part of the County's mass

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disaster plan, and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

A.1185.----.4 Contractual—Med Examiners & Coroners \$100,000

ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.1185.----.R408.9ARP Federal Aid—Oth Fed Aid ARPA Funds \$100,000

(9-18-24 HS – Carried with Legislator Parker voting “No”)

Signed: Pavlock, Gustafson, Proctor, Landy, Johnson, Scudder

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RES. NO. 260-24

Amend Chautauqua County Department of Mental Hygiene and Social  
Services 2024 Budget for Increased Safety Net Costs

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, 2024 Expenditures for Safety Net costs are now projected to be in excess of the budgeted amount; and

WHEREAS, Safety Net costs are funded in part by the State of New York and by the Federal Government, now therefore be it

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

INCREASE USE OF FUND BALANCE:

A.----.----.917 Unassigned Fund Balance-Unassigned fund balance \$1,500,000

;and be it further

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

INCREASE APPROPRIATION ACCOUNTS:

A.6140.----.4 Contractual - Safety Net \$2,500,000

INCREASE REVENUE ACCOUNTS:

A.6140.----.R184.0000 Departmental Income-Safety Net \$ 275,000

A.6140.----.R364.0000 New York State Aid-Safety Net \$ 700,000

A.6140.----.R464.0000 Federal Aid-Safety Net \$ 25,000

Total \$1,000,000

Signed: Proctor, Gustafson, Pavlock, Landy, Parker, Johnson, Scudder



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RES. NO. 261-24  
Amend Chautauqua County Department of Mental Hygiene  
and Social Services 2024 Budget for Increased Day Care Costs

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, 2024 Expenditures for Day Care costs are now projected to be in excess of the budgeted amount; and

WHEREAS, additional funding is available through the Day Care Block Grant and prior year rollover funds for Day Care costs from the Federal Government and State of New York; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.6055. ----.4	Contractual-Day Care	\$3,000,000
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INCREASE REVENUE ACCOUNTS:

A.6055.----.R365.5000	NYS Aid-Child Assistance	\$ 120,000
A.6055.----.R465.5000	Federal Aid-Child Assistance	<u>\$2,880,000</u>
	Total	\$3,000,000

Signed: Proctor, Gustafson, Pavlock, Landy, Parker, Johnson, Scudder

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RES. NO. 262-24  
Amend 2024 Budget to Implement the Peer Support for UPMC  
Chautauqua Project, Using Funding from the  
American Rescue Plan Act (ARPA)

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

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

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

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

WHEREAS, remaining funds allocated in the ARPA Spending Plan originally designated to Project #2 – Strong Starts Chautauqua, and are now available for another project in the amount of \$164,834, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the Peer Support for UPMC Obstetric and Maternal Health project fits within the guidelines for ARPA spending, is needed to help substance abuse impacted pregnant

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patients, and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.4320.----.4 Contractual - Mental Hygiene Programs \$164,834

DECREASE APPROPRIATION ACCOUNTS:

A.6010.----.4 Contractual - Social Services Admin \$38,834

INCREASE REVENUE ACCOUNT:

A.4320.----.R408.9ARP Federal Aid-Oth Fed Aid ARPA Funds \$164,834

DECREASE REVENUE ACCOUNT:

A.6010.----.R408.9ARP Federal Aid-Oth Fed Aid ARPA Funds \$38,834  
Signed: Proctor, Scudder, Gustafson, Pavlock, Landy, Parker, Johnson

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RES. NO. 263-24

Amend Chautauqua County Department of Mental Hygiene and  
Social Services 2024 Adopted Budget for Actual  
Youth Bureau Allocations Received

By Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Chautauqua County Youth Bureau's New York State Office of Children and Family Services (OCFS) Youth Development allocation and Runaway and Homeless Youth (RHYA) I and RHYA II allocations for calendar year 2024 total \$428,808; and

WHEREAS, the 2024 Youth Bureau budget was prepared based on an estimated calendar year 2024 allocation of \$184,354; and

WHEREAS, 2024 expenditures and revenue for Youth Bureau are now projected to be higher than the budgeted amount; therefore be it

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

INCREASE REVENUE ACCOUNT:

A.7310.---- R382.0000 NYS Aid – Youth Programs \$244,454

INCREASE APPROPRIATION ACCOUNT:

A.7310.----.4 Contractual – Youth Programs \$244,454  
(9-18-24 HS – Typo Correction)

Signed: Proctor, Gustafson, Pavlock, Landy, Parker, Johnson, Scudder

CHAUTAUQUA COUNTY LEGISLATURE

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RES. NO. 264-24

Authorize Chautauqua County Visitors Bureau as the Local  
Tourist Promotion Agency for Matching Funds Program  
Sponsored by the New York State Division of Tourism

By Planning and Economic Development and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the New York State Legislature has authorized the New York State Department of Commerce to match funds expended by local and regional organizations promoting tourist travel, resorts, and vacation businesses in this State; and

WHEREAS, the New York State Legislature has made appropriations for such purposes; and

WHEREAS, to participate in this program, the Chautauqua County Legislature must designate a not-for-profit corporation as the local tourist promotion agency for the Matching Fund Program sponsored by the New York State Division of Tourism; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby designates the Chautauqua County Visitors Bureau as the local tourist promotion agency for the Matching Funds Program sponsored by the New York State Division of Tourism, and authorizes the Chautauqua County Visitors Bureau to apply for matching tourism funds, to receive such matching funds, and to represent the County of Chautauqua in tourism promotion efforts; and be it further

RESOLVED, That in making the aforesaid designation, the Chautauqua County Legislature hereby certifies that Chautauqua County Visitors Bureau has been in operation for at least three (3) years immediately prior to making this year's application; and be it further

RESOLVED, That the Chautauqua County Visitors Bureau comply with the following criteria for implementing the Matching Funds Program:

1. A dedicated bank account shall be maintained for the purposes of matching and disbursing Matching Funds provided by the New York State Division of Tourism and the corresponding local share in accordance with the Program guidelines;

2. All interest earned from the Matching Funds Program monies shall be expended for generic County advertising according to the New York State guidelines for the Program;

3. All discounts and refunds be maintained in the Matching Fund program account and be expended for generic County advertising according to the Program guidelines; and

4. Account(s) shall be reconciled monthly and at the end of the Program, and the required quarterly and annual reports be provided to the New York State Division of Tourism in accordance with the Program guidelines; and be it further

RESOLVED, That the Chautauqua County Visitors Bureau is authorized to apply for state matching funds up to \$250,000 for the period of January 1, 2025 through December 31, 2025.

Signed: Harmon, Pavlock, Gustafson, Johnson, Larson, Scudder

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RES. NO. 265-24

Authorize Clerk of the Legislature to Publish Notices – Re: Public Hearings on  
2025 Tentative Budget & Maximum Salary of Members of the Chautauqua  
County Legislature and its Chairman

By Audit & Control Committee:

At the Request of Chairman Pierre Chagnon:

WHEREAS, Pursuant to Sections 359 and 271 of the County Law public hearings must be held on the Tentative Budget, with statement of maximum salary of members of County Legislature included in notice; and

WHEREAS, Such notice shall state the time, place and purpose of the public hearing on the Tentative Budget and that copies of the budget will be available for distribution and inspection and specify therein the maximum salary that may be fixed and payable to members of the Legislature and Chairman thereof during the ensuing year; therefore be it

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in such publications that a public hearing will be held on the 2024 Tentative Budget on Wednesday, October 23, 2024 at 6:35 P.M. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature be and hereby is authorized and empowered to advise in notice of public hearing on Tentative Budget that the 2025 salary of each Legislator shall be no more than \$9,000, that the Chairman of the Legislature shall be paid no more than \$8,000 in addition to his Legislator's salary and that the following positions be additionally compensated no more than the amounts indicated nor for more than one of the positions listed, over and above the basic Legislator's salary.

Majority Leader	\$1000.00
Minority Leader	\$1000.00
(1) Assistant Majority Leader	\$ 500.00
(1) Assistant Minority Leader	\$ 500.00
Each Committee Chairman	\$1000.00
Ranking Members	\$ 250.00

Signed: Pavlock, Johnson, Scudder

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RES. NO. 266-24

Reallocating Salary Grade for Case Manager (Health)

By Administrative Services, Human Services and Audit & Control Committees:

At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, the Public Health Director requested a review of the Case Manager (Health) salary grade; and

WHEREAS, the Human Resources staff reviewed the salary grade and duties currently being performed by Case Manager (Health) position as compared to similar positions in that department; and

WHEREAS, the position of Case Manager (Health) is covered by the terms of the CSEA 6300 Agreement and is allocated to Grade 12 of the CSEA 6300 salary schedule; and

WHEREAS, the Human Resources staff has recommended that the position of Case Manager (Health) be increased two (2) grades on the CSEA 6300 salary schedule; and

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WHEREAS, the Reallocation Committee as defined by the CSEA Unit 6300 Collective Bargaining Agreement, comprised of the County Executive, Director of Human Resources, and President of CSEA Unit 6300, met and approved the recommended grade change; now therefore be it

RESOLVED, That the title of Case Manager (Health) currently allocated to salary grade 12 shall be reallocated to salary grade 14.

2024 CSEA 6300 SALARY SCHEDULE											
<u>Grade</u>	<u>Step 1</u>	<u>Step 2</u>	<u>Step 3</u>	<u>Step 4</u>	<u>Step 5</u>	<u>Step 6</u>	<u>Step 7</u>	<u>Step 8</u>	<u>Step 9</u>	<u>Step 10</u>	<u>Step 11</u>
12			22.90	23.89	24.54	25.34	26.21	27.04	27.85	28.69	29.55
14			24.30	25.34	26.21	27.04	27.94	28.94	29.81	30.7	31.62

Signed: Scudder, Johnson, Pavlock, Gustafson, Anthony, Heiser, Vanstrom, Parker, Proctor,  
Landy