

Agenda

Audit & Control Committee

January 16, 2025, 8:35 a.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
 - B. Approval of Minutes (11/14/24 & 12/12/24)
 - C. Privilege of the Floor
1. Proposed Resolution – Authorize Lease of Office Space between the Chautauqua County Office for Aging Service and the City of Dunkirk
 2. Proposed Resolution – Authorize Commercial 5 Year Lease Agreement for a Portion of Parking Lot at the Chautauqua County - Jamestown Airport (JHW)
 3. Proposed Resolution – Authorize Lease Agreement at the Chautauqua County –Jamestown Airport (JHW) Terminal Building with Penn Border Aviation, LLC
 4. Proposed Resolution – Authorize Lease Agreement for Office Suite at the Chautauqua County Jamestown Airport Terminal Building to Chase Aviation Company, LLC.
 5. Proposed Resolution – Authorize Public Hearing for Lease of Restaurant Facilities at Chautauqua County Airport – JHW to Basil & Bones, Inc
 6. Proposed Resolution – Amend 2025 Budget for FY21 Cyber Security Grant Program
 7. Proposed Resolution – Close Sheriff’s Office Petty Cash Fund
 8. Proposed Resolution – Authorize Agreement with Various Towns for Enhanced Police Protection Services FY25
 9. Proposed Resolution – Authorize Agreement with Various Towns for Court Security Services FY 25
 10. Proposed Resolution – Authorize Repurposing of Capital Project Funds for Jamestown Community College (JCC)
 11. Proposed Resolution – Amend 2025 Budget - Countywide Resiliency Grant, White Inn Restore New York Grant, and Sediment and Debris Management Plan for Bemus Creek

12. Discussion – Review of Rules and Regulations, Charter and Obsolete Resolutions

13. Other –

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Lease of Office Space between the Chautauqua County Office for Aging Service and the City of Dunkirk

BY: Public Facilities, Human Services and Audit & Control Committees:

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

WHEREAS, the County desires to lease from the City of Dunkirk office space located 45 Cliffstar Court, in the City of Dunkirk, for use by the Chautauqua County Office for Aging Services; now therefore be it

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

1. Premises. Office space located at 45 Cliffstar Court in the City of Dunkirk.
2. Term. January 1, 2025 through December 31, 2025
3. Base Rent. Monthly rate of \$850.00
4. Snowplowing, Shoveling, and Salting. Landlord is responsible for all snow plowing, and sidewalk clearing.
5. Cleaning Services. The County is responsible for all interior public, and private space cleaning services.
6. Parking Lot Maintenance and Striping, Landscaping/Grounds Maintenance. Landlord is responsible for all Parking Lot Maintenance, Landscaping/grounds maintenance, and entrance lighting. In addition, landlord is also responsible for interior/exterior signage, painting and other cosmetic items, pest extermination, HVAC requirements, and trash collection services.
7. Taxes and Utilities. Landlord is responsible for all taxes and utilities attributable to the leased premises, including gas, heat, water, sewer, and electricity. County is responsible for the cost of its phone and internet services, including installation fees.
8. Other. As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Commercial 5 Year Lease Agreement for a Portion of Parking Lot at the Chautauqua County - Jamestown Airport (JHW)

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 Chautauqua County Jamestown Airport has considered and recommended that the County lease a portion of the Jamestown Airport Parking lot to the New York State Department of Transportation (NYS DMV), for the purpose of providing CDL testing on a Daily Basis Monday thru Friday; and

WHEREAS, the Airport Commission has considered and recommends continuing leasing a portion of the parking lot use to the NYS DMV, for the purpose of CDL testing on a Daily Basis Monday thru Friday; and

WHEREAS, pursuant to New York State General Municipal Law §352(5), a public hearing authorized by Resolution 345-24 was held on January 22, 2025, and all persons appearing thereat were heard; and

RESOLVED, *That the County Executive is authorized and empowered to execute a lease agreement with The New York State Department of Motor Vehicles, 6 Empire State Plaza, Rm. 224, Albany, New York 12228 for a proposed contract of 5 year term to include substantially the following terms and conditions:*

1. Term. Five years commencing on March 1, 2025, and terminating on February 28, 2030.
2. Premises. Non-exclusive use of the main parking lot for CDL testing and such use of public areas of the terminal as required for support activities.
3. Payment. Tenant shall pay County an annual fixed rental fee of Twelve Hundred Fifty (\$1,250) during the first year of the lease, with an annual increase of 2% each subsequent year of the lease.
4. Other. As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Lease Agreement for Office Suite at the Chautauqua County Jamestown Airport Terminal Building to Chase Aviation Company, LLC.

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 aviation consulting business; and

WHEREAS, pursuant to New York State General Municipal Law §352(5), a public hearing authorized by Resolution 344-24 was held on January 22, 2025, and all persons appearing thereat were heard; 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 years commencing on January 1, 2025, and terminating on September 30, 2027.
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 personal vehicle, and access to the terminal apron.
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.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Public Hearing for Lease of Restaurant Facilities at Chautauqua County Airport – JHW to *Basil and Bones, Inc*

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

RESOLVED, That pursuant to General Municipal Law, a public hearing on the proposed lease agreement for the restaurant space with *Basil and Bones, Inc*, 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 February 26, 2025, in the Legislative Chambers, Gerace Office Building, Mayville, New York 14757:

1. Term. One Year, commencing on April 1, 2025. An extension term will be subject to approval by the County Legislature at end of one year term (March 31, 2026).
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 Terminal building next to restaurant door entrance directly to the outside.
1. Payment. Tenant shall pay County a monthly fixed rental fee of Seven Hundred Fifty and no dollars (\$750)
2. Other. As negotiated by the County Executive.

; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to publish notice of this hearing at least ten (10) days prior thereto in the official newspapers of the County of Chautauqua.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2025 Budget for FY21 Cyber Security Grant Program

BY: Administrative Services and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 131-24 Chautauqua County Information Services were awarded funds in the amount of \$50,000 under the FY21 Cyber Security Grant Program, funded by the federal Homeland Security Grant Program (HSGP) from Federal Emergency Management Agency (FEMA) and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, the grant will be used to continue the implementation of various cyber security technologies currently in use by the County; and

WHEREAS, the grant period runs from April 1, 2024 through August 31, 2025, expenditures associated with this grant were not incurred in fiscal year 2024, and the grant was not included in the 2025 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is hereby directed to make the following changes to the 2025 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.1680.----.4	Contractual—Information Technology	\$50,000
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INCREASE REVENUE ACCOUNT:

A.1680.----.R408.9000	Federal Aid—Other Federal Aid	\$50,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Close Sheriff's Office Petty Cash Fund

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, Resolution No. 5-1975 established a revolving petty cash fund in the amount of \$2,500.00 to be used by the Chautauqua County Sheriff's Office; and

WHEREAS, the petty cash fund established by Resolution No. 5-1975 is no longer necessary; now therefore be it

RESOLVED, That the petty cash fund established by Resolution No. 5-1975 is hereby abolished; and be it further

RESOLVED, That the Director of Finance is hereby directed to make any and all necessary accounting adjustments to implement this change.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Agreement with Various Towns for Enhanced Police Protection Services FY25

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, various municipalities or school districts have requested the Chautauqua County Office of the Sheriff provide enhanced police services within their respective geographic boundaries during the 2025 calendar year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with these entities for the period of January 1, 2025 through December 31, 2025 for an estimated cost not to exceed amounts listed, based on an hourly rate of at least \$55.09 and a holiday hourly rate of at least \$82.63:

Town of Ripley \$35,000
Town of Charlotte \$4,000
; and

WHEREAS, this revenue is included in the 2025 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with these entities for enhanced police services as set forth above with revenues to be credited to revenue account A.3110.R226.0000.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Agreement with Various Towns for Court Security Services FY 25

BY: Public Safety and Audit & Control Committees:

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

WHEREAS, various municipalities have requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with these townships for the period of January 1, 2025 through December 31, 2025 for an estimated cost not to exceed amounts listed below, based on an hourly rate not to exceed \$35.71;

Town of North Harmony \$8,000
Town of Kiantone \$7,000
Town of Stockton \$6,000
Town of Ellery \$3,000
Town of Poland \$7,000
Town of Charlotte \$2,500
Town of Mina \$5,000
Town of Sheridan \$1,500

; and

WHEREAS, this revenue is included in the 2025 Adopted Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the Chautauqua County Executive is hereby authorized and empowered to execute an agreement with the above Towns for court security services set forth above with revenues to be credited to revenue account A.3110.R226.0000.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Repurposing of Capital Project Funds for Jamestown Community College (JCC)

BY: Planning & Economic Development and Audit and Control Committees:

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

WHEREAS, Capital Project funding was previously approved for the demolition of Jamestown Community College's Annex Building; and

WHEREAS, as JCC works toward demolition, New York's State Historic Preservation Office has deemed the structure to have historic value, eliminating the option of demolition; and

WHEREAS, in order for JCC to pursue other options for this building, asbestos abatement, among other structural improvements, will be necessary; and

WHEREAS, the Chautauqua County Planning Board was approached with this proposed change and is in favor of and recommending the repurposing of original funding from demolition to asbestos abatement; and

WHEREAS, the project was originally funded with serial bonds; and

WHEREAS, the County has sufficient funds in the Reserve for Capital to fund this project thereby reducing borrowing costs; now therefore be it

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

INCREASE THE USE OF RESERVED FUND BALANCE:

A.-----878.0000	Reserved Fund Balance—Reserve for Capital	\$87,500
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2025 Adopted Capital Budget:

DECREASE APPROPRIATION ACCOUNT:

H.2490.00860.4	Contractual – Community College Tuition, Community Srvcs Ctr Demo	\$87,500
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DECREASE REVENUE ACCOUNT:

H.2490.00860.R571.0000	Serial Bonds- Proceeds L/T Obligations	\$87,500
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INCREASE APPROPRIATION ACCOUNT:

A.9950.-----9	Interfund Transfers – Transfer to Capital	\$87,500
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ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

H.2490.00018.4	Contractual—Community College Tuition, Community Srvcs Ctr Asbestos Abmt	\$87,500
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ESTABLISH & INCREASE REVENUE ACCOUNT:

H.2490.00018.R503.1000	Interfund Transfer – Interfund Transfers	\$87,500
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; and be it further

RESOLVED, That the Director of Finance, upon completion of the above amendments, close project account H.2490.00860 Community Srvcs Ctr Demo (2012).

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2025 Budget - Countywide Resiliency Grant, White Inn Restore New York Grant, and Sediment and Debris Management Plan for Bemus Creek

BY: Planning and Economic Development and Audit & Control Committees:

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

WHEREAS, the Department of Planning & Development was awarded the Countywide Resiliency Plan grant (CFA #126891) in 2024 through New York State Department of State (NYS DOS) Smart Growth Countywide Resiliency Planning Program in the amount of \$144,000.00; and

WHEREAS, the cost of the project is estimated to be \$160,000, funded 90%, or \$144,000, from the NYSDOS Smart Growth Countywide Resiliency Planning Program and 10%, or \$16,000, from the Department of Planning and Development’s budget; and

WHEREAS, the State-funded portion of revenues and expenditures associated with the total project costs were not included in the 2025 operating budget; and

WHEREAS, the Department of Planning & Development was awarded a Restore New York Communities Initiative Grant (“Restore NY”) through Empire State Development (ESD) in the amount of \$1,250,000 to assist with the redevelopment of the White Inn in downtown Fredonia; and

WHEREAS, this Restore NY project involves no matching funds from the county, and revenues and expenditures associated with the grant were not included in the 2025 adopted budget; and

WHEREAS, the Department of Planning & Development was awarded New York State Department of Environmental Conservation (NYS DEC) Nonpoint Source Planning Grant for development of a Sediment and Debris Management Plan for Bemus Creek in the amount of \$50,000.00; and

WHEREAS, the cost of the project is estimated to be \$55,000 - \$50,000 of which will be funded from the NYS DEC’s Non-Agricultural Nonpoint Source Planning and MS4 Mapping Grant Program and the remaining \$5,000, of which will be funded utilizing the 2% Occupancy Tax Reserve, which was amended to the 2024 Budget by Resolution 107-24; and

WHEREAS, the State-funded portion of revenues and expenditures associated with the total project costs were not included in the 2025 operating budget; therefore, be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2025 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4	Contractual—Planning	\$ 144,000
A.6420.----.4	Contractual—Promotion of Industry	\$1,250,000
A.8020.----.4	Contractual—Planning, Watershed Admin	\$ 50,000
	Total:	\$1,444,000

INCREASE REVENUE ACCOUNT:

A.8020.----.R308.9000	NYS Aid—Other State Aid	\$ 194,000
A.6420.----.R308.9000	NYS Aid—Other State Aid	\$1,250,000
	Total:	\$1,444,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date