

CHAUTAUQUA COUNTY LEGISLATURE
01/22/2025

RES. NO. 6-25
Confirm Reappointments – Chautauqua County Landfill Commission

By Public Facilities Committee:

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

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

RESOLVED, That the Chautauqua County Legislature hereby confirms the following reappointments to the Chautauqua County Landfill Commission.

Legislator Dan Pavlock
786 Abbey Hill Rd.
Kennedy, NY 14747
Term Expires 12/31/26
(Chairmen of Commission)

Legislator John Penhollow
5575 Fenner Rd.
Sinclairville N.Y. 14782
Term Expires 12/31/26
(County Legislature)

Angela Ricotta
2254 Buffalo St. Ext.
Jamestown, N.Y. 14701
Term Expires 12/31/26
(Large Private Customer TitanX Engine Cooling Inc.)

Mark Schlemmer
4310 Lakeside Dr.
Bemus Point, N.Y. 14712
Term Expires 12/31/26
(Town of Ellery)

James Van Volkenburg
157 Miller St.
Sherman, N.Y. 14781
Term Expires 12/31/26
(Hosting a Transfer Station)

Christine Storer
7684 Cummings Rd.
Stockton, N.Y. 14784
Term Expires 12/31/26
(Waste Hauler)

Signed: Heiser, Anthony, Buchanan, Scudder, Nelson

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RES. NO. 7-25
Confirm Reappointment – Chautauqua County Ethics Board

By Administrative Services Committee:

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

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following reappointment to the Chautauqua County Legislature for action; now therefore be it RESOLVED, That the Chautauqua County Legislature hereby confirms the following reappointment to Chautauqua County Ethics Board.

Stephanie Stevens
46 Castile Drive
Fredonia, NY 14063
Term Expires: 1/31/28
(Reappointment)
Signed: Scudder, Anthony, Heiser, Buchanan

RES. NO. 8-25
Confirm Appointments and Reappointments – Chautauqua
County Fire Advisory Board

By Public Safety Committee:

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

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

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments and reappointments to the Chautauqua County Fire Advisory Board.

1st Battalion

E. Lawrence Barter
9 Pine Dr.
Fredonia, NY 14063
Term Expires: 1/31/2026
Reappointment

Michael Keddie
2548 Main Rd.
Silver Creek, N.Y. 14136
Term Expires: 1/31/2026
Reappointment

Thomas Kolassa
23 Seymour St.
Fredonia, NY 14063
Term Expires: 1/31/2026
Reappointment

Joshua Myers
80 W. Main St.
Fredonia, N.Y. 14063
Term Expires: 1/31/2026
Reappointment

Brian Purol
3681 New Rd.
Dunkirk, NY 14048
Term Expires: 1/31/2026
Reappointment

James Odien
755 Grant Ave.
Dunkirk, N.Y. 14048
Term Expires: 1/31/2026
Reappointment

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2nd Battalion

Lisa Babcock
9126 Belson Rd.
Ripley, NY 14775
Term Expires: 1/31/2026
Reappointment

Ryan Hardenburg
12 Maple Dr. West
Mayville, NY 14757
Term Expires: 1/31/2026
Reappointment

Ward Raynor
6714 Beech Hill Rd.
Dewitville, NY 147828
Term Expires: 1/31/2026
New Appointment

Mark Smith
9437 E. Main Rd.
Ripley, NY 14775
Term Expires: 1/31/2026
Reappointment

Ronald H. Trippy
6755 S. Portage Rd.
Westfield, NY 14787
Term Expires: 1/31/2026
Reappointment

David Walker
7577 North Gale St.
Westfield, NY 14787
Term Expires: 1/31/2026
Reappointment

3rd Battalion

Mark Zamborik
317 Oak St.
Lakewood, N.Y. 14750
Term Expires: 1/31/2026
Reappointment

Matthew Stafford
3181 Burton Rd.
Mayville, NY 14757
Term Expires: 1/31/2026
Reappointment

Nick Niles
15 Howard St.
Frewsburg, NY 14738
Term Expires: 1/31/2026
Reappointment

Andrew Caruso
3943 Daily Hill Rd.
Kennedy, N.Y. 14747
Term Expires: 1/31/2026
Reappointment

Daniel Sisson
1514 Bunce Rd.
Frewsburg, NY 14738
Term Expires: 1/31/2026
Reappointment

Michael Zamborik
948 Blockville -
Watts Flats Rd.
Ashville, NY 14710
Term Expires: 1/31/2026
Reappointment

4th Battalion

David Bartkowiak
2575 Palm Rd.
Jamestown, NY 14701
Term Expires: 1/31/2026
Reappointment

Ryan Delahoy
205 N. Dow St.
Falconer, NY 14733
Term Expires: 1/31/2026
Reappointment

Jay Mease
4562 Johnson Rd.
Bemus Point, NY 14712
Term Expires: 1/31/2026
New Appointment

Jeff Molnar
30 Main St.
Bemus Point, NY 14712
Term Expires: 1/31/2026
Reappointment
Signed: Niebel, Carle, Landy, Proctor

Barry Swanson
4870 Bayview Rd.
Bemus Point, NY 14712
Term Expires: 1/31/2026
Reappointment

Brenton Yager
1888 East Elmwood Ave.
Falconer, NY 14733
Term Expires: 1/31/2026
Reappointment

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RES. NO. 9-25
Confirm Appointments and Reappointments – Chautauqua County
Emergency Medical Services Council

By Public Safety Committee:

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

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

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments and reappointments to the Chautauqua County Emergency Medical Services Council.

Reappointments:

Samantha Stokes
231 Lincoln Ave.
Dunkirk, N.Y. 14048
Term Expires: 12/31/2027
(Battalion 1)

Timothy Carlson
973 Norberg Rd.
Russell, PA 16345
Term Expires: 12/31/2027
(Chaut. Co. EMS Rep 1)

Ryan Roush
2081 Winch Rd.
Lakewood, N.Y. 14750
Term Expires: 12/31/2027
(Paid FF South)

Tom Siderits
2830 Garfield Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/2027
(CISM)

Robert Rein, Jr.
2643 Gerry Ellington Rd.
Gerry, N.Y. 14740
Term Expires: 12/31/2027
(South at Large)

David Thomas
6 Park Ln.
Jamestown, N.Y. 14701
Term Expires: 12/31/2027
(Commercial Ambulance)

Dr. Michael Faulk
3951 Fluvanna Townline Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/2027
(Medical Director I)

Jennifer Guttman
6057 Portage Rd.
Mayville, N.Y. 14757
Term Expires: 12/31/2027
(North At Large)

Charlene Unger
3327 W. Oak Hill Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/2025
(South at Large)

Donna Bryant
499 Orchard Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/2027
(South at Large)

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Doug Conroe
4741 Whiteside Parkway
Maple Springs, N.Y. 14712
Term Expires: 12/31/2027
(South at Large)

Laura Logan
248 Maple Ave.
Cassadaga, N.Y. 14718
Term Expires: 12/31/2027
(North at Large)

Anthony Muscarella
1944 Lake Rd.
Silver Creek, N.Y. 14136
Term Expires: 12/31/2027
(Fire Chiefs Association)

New Appointments:

Kendrya Sheldon
44 Panama Bear Lake Rd.
Panama, N.Y. 14767
Term Expires: 12/31/2025
(Battalion 3)

Jesse Pardue
2931 Fluvanna Townline Rd.
Jamestown, N.Y. 14701
Term Expires: 12/31/2026
(Battalion 4)

Robert Smith
3843 Ellington St.
Kennedy, N.Y. 14747
Term Expires: 12/31/2026
(DOH Course 2)
(1-15-25 P.S. – Amended by Substitution)
Signed: Niebel, Carle, Landy, Proctor

Phil Lawrie
2313 Rt. 39
Forestville, N.Y. 14062
Term Expires: 12/31/2026
(Brooks Hospital)

RES. NO. 10-25
Confirm Appointments to the Lake Erie Management Commission

By Planning and Economic Development Committee:

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

WHEREAS, pursuant to Resolution 178-11, the County Legislature established the Lake Erie Management Commission (LEMC) with an interim membership and requested that the interim members draft initial by-laws for approval by the County Legislature; and

WHEREAS, pursuant to Resolution 38-12, the LEMC's by-laws were adopted and ten voting members were appointed and confirmed by the Legislature; and

WHEREAS, pursuant to Resolution 273-20, the LEMC's by-laws were amended to increase the number of voting members from ten to twelve members to be appointed and confirmed by the Legislature; and

WHEREAS, commencing immediately, the LEMC requests the Legislature to appoint and confirm the following individuals as voting members going forward; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms appointment of the following chairman and members of the Lake Erie Management Commission for a term commencing immediately and extending to December 31, 2027:

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Zen Olow (Chairman)
23 Bennett Drive
Fredonia, NY 14063

Martha Bills, Town of Westfield Supervisor
Mayors and Supervisors
Town Hall, 23 Elm Street
Westfield, NY 14787

Jim Joy (Farm Bureau)
9825 Farel Road
Fredonia, NY 14066

Jessica Wuerstle (Health Department)
14 North Jerboa Street
Dunkirk, NY 14048

Doug Richmond (Westfield At-Large)
27 Watson Ave.
Westfield, NY 14787

Cassandra Pinkoski (Soil & Water)
11264 Urban Road
Dunkirk, NY 14048

Bob Bankoski (Legislator At-Large)
407 Lake Shore Drive East
Dunkirk, NY 14048

Marcus Buchanan (Legislator At-Large)
200 Brooks Avenue
Dunkirk, NY 14048

Gary Katta (Fish Advisory Board)
9231 Spoden Road
PO Box 461
Fredonia, NY 14063

Ed Schintzius (Hanover At Large)
1182 Stewart Avenue
Silver Creek, NY 14136

Vince DeJoy (Dunkirk At-Large)
98 Forest Avenue
Jamestown, NY 14701

Rebecca Wurster (County At-Large)
Chautauqua County Planning & Development
214 Central Avenue
Dunkirk, NY 14048

Signed: Harmon, Johnson, Larson, Gustafson, Penhollow

RES. NO. 11-25
Confirm Appointment – County of Chautauqua Industrial
Development Agency Board of Directors

By Planning & Economic Development Committee:
At the Request of County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment to the Chautauqua County Legislature for action; now therefore be it
RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the County of Chautauqua Industrial Development Agency Board of Directors.

John Healy
3730 Carol Drive
Bemus Point, N.Y. 14712
Term Expires: 12/31/2027
(New Appointment)

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(Replacing Bradley Walters)

Signed: Harmon, Johnson, Larson, Gustafson, Penhollow

RES. NO. 12-25
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.

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

RES. NO. 13-25
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.

(1-13-25 P.F. – Typo Correction in italics)

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

RES. NO. 14-25

Authorize Lease Agreement at the Chautauqua County -Jamestown Airport (JHW) Terminal Building *with Penn Border Aviation, 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 request to lease office facilities at the Jamestown Airport main terminal building for the purpose of operating an aircraft maintenance 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; therefore be it

RESOLVED, That the A Fund be appropriated as follows:

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DECREASE THE USE OF FUND BALANCE:

A.-----917.0000 Unassigned Fund Balance – Unassigned Fund Balance \$600

; and be it further

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

INCREASE REVENUE ACCOUNT:

A.5610.5610.R177.0000 Departmental Income- Fees & Rental: Airport \$600

; and be it further

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

1. Term. Six months commencing on January 1, 2025, and terminating on June 30, 2025 with option to renew
2. Premises. Terminal Building Office No. 43, a 132 gross square foot office located at the Chautauqua County Jamestown Airport, with access to a private bathroom.
3. Payment. Tenant shall pay County a monthly fixed rental fee of One Hundred and No/100 Dollars (\$100.00).
4. Other. As negotiated by the County Executive.

(1-13-25 P.F. – Amended by Substitution)

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

RES. NO. 15-25

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

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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.

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

RES. NO. 16-25
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

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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.

(1-13-25 P.F. – Amended by Substitution)

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

RES. NO. 17-25
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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Signed: Scudder, Pavlock, Anthony, Buchanan, Heiser, Nelson, Johnson

RES. NO. 18-25
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.

Signed: Niebel, Pavlock, Carle, Landy, Proctor, Nelson, Johnson, Scudder

RES. NO. 19-25
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.

Signed: Niebel, Pavlock, Carle, Landy, Proctor, Nelson, Johnson, Scudder

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RES. NO. 20-25
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.

Signed: Niebel, Pavlock, Carle, Landy, Proctor, Nelson, Johnson, Scudder

RES. NO. 21-25
Authorizing and Approving a Settlement Agreement in an Action
Relating to the Opioid Crisis (Schein and Target)

By Human Services Committee:

At the Request of County Executive Paul M. Wendel, Jr. and Legislature Chairman Pierre E. Chagnon:

WHEREAS, there is pending litigation regarding the opioid addiction crisis on behalf of various New York municipalities, in which the County of Chautauqua is a named plaintiff in the action (the "Action"); and

WHEREAS, the Action is against several defendants, including manufacturers of opioids, distributors of opioids, and chain pharmacies; and

WHEREAS, the Action alleges several causes of action against defendants Henry Schein, Inc. and Target, based on claims that these entities contributed to the opioid epidemic by various acts which contributed to a public health crisis in Chautauqua County; and

WHEREAS, it is in the best interest of the County to resolve the claims involving Henry Schein, Inc. and Target without further litigation, and enter into proposed Agreements that shall settle all allegations against these companies and avoid protracted litigation; therefore be it

RESOLVED, That the County Executive and the County's counsel are each authorized and empowered on behalf of the County of Chautauqua to execute the Agreement with Henry Schein, Inc. and to execute the Agreement with Target to settle the Action of the County against these companies relating to the opioid addiction crisis, and execute such other documents as may be necessary and appropriate to effectuate said settlement with these companies.

Signed: Proctor, Vanstrom, Landy, Pavlock, Gustafson

RES. NO. 22-25
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).

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

RES. NO. 23-25

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:

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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

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

RES. NO. 24-25
Restoring Passenger Air Service to the
Chautauqua County Airport at Jamestown

By Planning & Economic Development Committee:

At the Request of Legislator Pierre Chagnon and Legislator Fred Larson:

WHEREAS, Jamestown, New York had passenger air service from the 1950s until its Essential Air Service was terminated in January 2018; and

WHEREAS, on behalf of the Chautauqua County Airport at Jamestown and the community, ASM and Passero conducted an examination of options for reinstating commercial air service to the airport; and

WHEREAS, the consultants conducted a passenger leakage study using catchment area methodology; and

WHEREAS, at the December 2024 meeting of the Chautauqua County Legislature the consultants presented their study process, the resulting data, and their conclusion that reinstating commercial air service at the Jamestown Airport to a proximate hub can successfully capture significant passenger demand; and

WHEREAS, the consultants believe the sustainable air service solution is the right airline, and the right market, and the right time, and the right aircraft seat capacity; and

WHEREAS, Chautauqua County needs the return of Passenger Air Service to support its economic development efforts; now therefore be it

RESOLVED, The Chautauqua County Legislature directs our consultants to aggressively pursue reinstating commercial air service at the Jamestown Airport; and be it further

RESOLVED, The Chautauqua County Legislature respectfully requests our Federal representatives, our State representatives, Federal and State aviation and transportation agencies, and our community partners to join us in our pursuit to reinstate commercial air service at the Jamestown Airport.

Signed: Harmon, Johnson, Larson, Gustafson, Penhollow

RES. NO. 25-25
Opposition to Lake Erie Wind Turbines and Authorize
Necessary Steps to Protect the County's Interest

By Planning and Economic Development Committee:

At the Request of Legislators Tom Harmon, Bankoski, Scudder, Niebel, Penhollow,
Johnson and Buchanan:

WHEREAS, New York State has passed the Climate Leadership and Community Protection Act (the Climate Act) calling for seventy percent of electricity in the State to be produced by renewable resources by the year 2030, and one hundred percent of electricity to be generated by emissions-free power generation by the year 2040; and

WHEREAS, wind energy has been designated by the Climate Act as an essential form of renewable energy, and there are a number of commercial wind energy facilities already operating on land in Chautauqua County and Western New York, with more in the planning and permitting stages; and

WHEREAS, as of 2021, NY State's power grid manager New York Independent Systems Operator (NYISO) determined that the Upstate New York power grid zones were already ninety-two percent zero emissions in the generation of electricity, while the Downstate New York power grid zones were only eight percent zero emissions with eighty-nine percent fossil fuels; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) determined in 2022 that there are many unknowns, such as the effects on marine life and the cost of major, high-cost infrastructure, that strongly suggest this is not the right time to consider constructing offshore wind facilities in Lake Erie; and

WHEREAS, questions and concerns regarding the potential impacts of offshore wind turbines in Lake Erie include the following:

- Disturbance of toxic industrial wastes in the lake bed, that may endanger drinking water and aquatic ecosystems;
- Disruption of migratory pathways and behaviors of economically vital fish species;
- Negative effects on tourism and recreation;
- Unclear contributions to the Climate Act's emissions reduction goals;
- Radar interference impacting maritime safety, recreational boating, search and rescue operations, and border security;
- Release of microplastics and toxic chemicals, such as BPA and PFAS, from wind turbine materials;
- Risks of oil spills from turbines and maintenance challenges during Lake Erie's ice-covered periods;
- Noise and vibrations affecting aquatic life and the enjoyment of Lake Erie by residents and visitors;
- Impacts on migratory flyways of birds, bats, and butterflies;
- Effects on historic sites, such as shipwrecks and lighthouses;
- Potential conflicts with the Public Trust Doctrine and the rights of the Seneca Nation of Indians to administer water quality standards; and
- Economic impacts, including increased electricity rates for local residents and reduced property values along the shoreline; and

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WHEREAS, approximately twelve million people live in the Lake Erie Watershed, including seventeen different metropolitan areas with more than 50,000 residents, and Lake Erie provides drinking water for about eleven million of those inhabitants, including customers of the City of Dunkirk and North Chautauqua County Water District; and

WHEREAS, in the mid-twentieth century, Lake Erie was perceived to be dying due to high levels of industrialization and agriculture surrounding the lake, however, due to joint efforts by the United States and Canada to improve the health of Lake Erie, the lake now has a \$12.9 billion dollar tourism and world class fishery economy that must be protected; and

WHEREAS, the Chautauqua County's northwestern boundary runs for approximately 45 miles along Lake Erie, and the presence of wind farms may affect property values and tourism by impacting viewsheds and the natural beauty and tranquility of the waterscape; now therefore be it

RESOLVED, That the Chautauqua County Legislature on behalf of the County of Chautauqua joins with other Western New York municipalities in expressing opposition to the introduction of offshore wind turbine in the waters of Lake Erie at this time; and be it further

RESOLVED, That inclusion of local input in any further study of off-shore wind turbines in the Great Lakes must be given upmost priority and consideration by Federal and State agencies, and Chautauqua County opposes any legislation that would eliminate environmental review and local input in the siting of offshore wind turbines in Lake Erie; and be it further

RESOLVED, That the County Executive and County Law Department are hereby authorized and empowered to take any necessary steps to protect the County's interest in any attempt to site offshore wind turbines in Lake Erie, including joint efforts with other municipalities bordering the Great Lakes; and be it further

RESOLVED, That the Clerk of the Legislature shall forward a certified copy of this resolution to Honorable Governor Kathy Hochul, Honorable United States Congressman Nicholas Langworthy, Honorable New York State Senator George Borrello, and Honorable New York State Assemblyman Andrew Molitor.

Signed: Harmon, Johnson, Larson, Gustafson, Penhollow