

Minutes
Audit & Control Committee
March 20, 2025, 8:35 a.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Pavlock, Scudder, Nelson, Johnson, Dickey

Others: Chagnon, N. Quattrone, Swan, Torres, Ellis, Zafuto, Wendel, Crow, Ihrig, Abdella, Songer, McClennan, Powell, Oehlbeck, Makowski, Wright, Dennison, Walsh, Woodard, Contiguglia, Card, Nick

Complete video of meeting can be viewed on YouTube

Chairman Pavlock called the meeting to order at 8:35 a.m.

Approval of Minutes (2/20/25)

MOVED by Legislator Scudder, SECONDED by Legislator Johnson to approve the minutes

Unanimously Carried

Privilege of the Floor

Robert Scott: My name is Robert Scott, (*inaudible*) Fredonia. Thank you for allowing me to address you concerning item #2 on the agenda entitled “Requesting Continuation of State Legislation Authorizing 1.0% Additional Sales Tax”. I would like to state that I am in favor of continuing the 1.0% additional sales tax upon its expiration on November 30th, 2025, something that you would not hear from most taxpayers and in contrast to “The Observer’s View” of March 10, 2025. With that said, I feel serious consideration should be given to Legislator Fred Larson’s thoughts of sharing more of the proceeds with the municipalities – specifically the cities and villages of Chautauqua County. Please allow me to explain. It is stated in the resolution that after 15% of the net collections is shared with the municipalities based on respective populations that the balance is used to offset costs associated with Medicaid, road and bridge projects, and into a reserve fund for indebtedness. These are items that do not help or promote sales tax revenue collections and I believe that ignores the fact that the cities and villages are involved in activities that directly help boost sales tax revenue in the county and the activities come with a cost to the cities and villages. For example, I know that Westfield, Dunkirk, Silver Creek, Fredonia, etc. Sponsor “music in the park” events to draw residents and visitors to the county alike to their business districts/village centers where money will be spent on food and drink. Another example would be the numerous art festivals, craft shows, baseball/softball and fishing tournaments that are held throughout the county in the summer for the residents and visitors alike that help build the sales tax and bed tax receipts. In some cases, the city or village receives a donation to offset some of the cost of the event but it usually does not cover the additional overhead cost incurred to the Police Department for security, the Fire Department for safety, and the Public Works

Department for set-up and clean up. These are usually smaller events that do not qualify for grants from the bed tax fund – the paperwork and accounting alone would be cumbersome – but they do come with a cost to the municipalities that are struggling to make ends meet. I believe some relief should be given to offset the monies spent on these activities that directly boost sales tax revenue and in some cases the bed tax revenue. You may question to whom should the revenue be shared with and how much? I could be wrong but I have not noticed townships too involved with the activities I mentioned above and if so, most do not have their own Police Department which is the major cost factor. Thus, I would suggest only the cities and villages share in the additional revenue to help cover their costs incurred. As for how much, at your February meeting, figures of 25%, 50/50, and maybe 60/40 were discussed. I believe that your present allocation based on population is fair and not to make the new allocation overly complicated I would suggest to just double the dollar amount that the cities and villages would receive. Not knowing the exact figures of the present allocation, the new split cannot exceed 30% and quite possibly would be around 25% which is the low end of the spectrum discussed and I believe to be reasonable for all involved. A few more points to consider before you make a decision. (1) It is good that this action needs to take place now which is well in advance of any 2026 budget deliberations the municipalities, including the county, need to make decisions on. (2) The county will be able to track the 2025 sales tax revenue and would be able to provide reasonably accurate figures of the monies available in 2026 based on the new formula agreed upon. (3) This decision doesn't have to remain in place forever. The resolution is for two years only and can be modified if the county finds that the \$40,000,000 reserve fund presently in place is not available in the Spring of 2027. (4) It is easier to pay the sales tax in small increments as opposed to the property tax bill that has to be paid in a lump sum. No one can refuse to pay the sales tax if they want the item and/or service. The same cannot be said about property taxes without the county going through the expensive process to collect. In conclusion, a hearty yes to extending the 1% additional sales tax for another two years and please give serious consideration to sharing additional revenue with the cities and villages that are promoting activities that help boost sales tax receipts. Thank you for your time.

Renew and Amend Resolution 128-24 – Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5764.84 –
Presented by Tim Card, DPF Director, Jennifer Swan, Budget Director

Proposed Resolution – Requesting Continuation of State Legislation Authorizing 1.0% Additional Sales Tax (*Sent back to Committee from February Legislature Meeting*) – *Presented by Paul M. Wendel, Jr., County Executive, Stephen Abdella, Legislature Parliamentarian*

Carried with Legislator Nelson Voting “No”

Proposed Resolution – Authorize Lease Agreement with Jamestown’s Rental Properties, LLC
(Tabled at February Public Facilities Committee Meeting) – Presented by Kristen Wright, First Assistant County Attorney, Josh Rothwell, Assistant Deputy Director of Public Facilities

MOVED by Legislator Scudder, SECONDED by Legislator Nelson to Amend by Strikethrough and new text in bold (as shown below) - Unanimously Carried to Amend

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Jamestown’s Rental Properties, LLC (Owner) upon the following terms and conditions:

- 1) Premises. The office building situated at 95 East Chautauqua Street in Mayville, New York, consisting of approximately 7,500 square feet; **2035**
- 2) Term. Ten (10) years, with approximate dates of April 1, 2025 through March 30, ~~2030~~;
- 3) Rent. \$14.00 per square foot per year, equaling approximately \$8,750 per month;
- 4) Utilities. Owner shall be responsible for all utilities, including heat and electric, and cleaning, and County is responsible for the cost of phone and internet service, including installation fees; and
- 5) Other. As negotiated by the County Executive;

Unanimously Carried as Amended

Local Law Intro 1-25 – A Local Law Amending Local Law 13-22 Providing for a Management Salary Plan for County Officers and Employees (re: Director of HR/Compliance Officer for Chautauqua County Human Resources Department) – *Presented by Paul M. Wendel, Jr., County Executive*

Proposed Resolution – Calling a Public Hearing Pursuant to County Law §268 Upon a Proposal to Upgrade Wastewater Treatment Plant Infrastructure in the North Chautauqua Lake Sewer District – *Presented by Mathew Oehlbeck, Director of North Chautauqua Lake Sewer District, Pierre Chagnon, Chairman of the Legislature*

Unanimously Carried

Proposed Resolution – Determinations in Relation to the Extension of Center Chautauqua Lake Sewer District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake – *Presented by Pierre Chagnon, Thomas Walsh, Director of South & Center Chautauqua Lake Sewer Districts Chairman of the Legislature*

Unanimously Carried

Proposed Resolution – Establishment of Capital Accounts for Center Chautauqua Lake Sewer District (CCLSD) Extension Phase 3 – *Presented by Pierre Chagnon, Thomas Walsh, Director of South & Center Chautauqua Lake Sewer Districts Chairman of the Legislature*

Unanimously Carried

Proposed Resolution – A Resolution Authorizing the Issuance of \$35,590,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the Center Chautauqua Lake Sewer District in and for said County – *Presented by Pierre Chagnon, Thomas Walsh, Director of South & Center Chautauqua Lake Sewer Districts Chairman of the Legislature*

Unanimously Carried

Proposed Resolution – Authorize County to Apply for Grants on Behalf of the Center Chautauqua Lake Sewer District to Extend District Bounds from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake – *Presented by Pierre Chagnon, Thomas Walsh, Director of South & Center Chautauqua Lake Sewer Districts Chairman of the Legislature*

Unanimously Carried

Proposed Resolution – Authorize Extension of the Elections Cybersecurity Remediation Grant Program Award from the New York State Board of Elections – *Presented by Sam Zafuto, Deputy Director of Finance, Nacole Ellis, Election Commissioner, Luz Torres, Election Commissioner*

Unanimously Carried

Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Capital and Inter-fund Accounts – *Presented by Kitty Crow, Finance Director*

Unanimously Carried

Proposed Resolution – Amend Capital Project Accounts with Reserve for Capital Jamestown Community College – *Presented by Kathleen Dennison, Temporary Director of Administrative Services for Health and Human Services JCC, Stephen Abdella, Legislature Parliamentarian*

Defeated with Legislator Nelson voting “Yes”

Proposed Resolution – Amend Capital Project Accounts - Jamestown Community College –
Presented by Kathleen Dennison, Temporary Director of Administrative Services for Health and Human Services JCC

Unanimously Carried

Proposed Resolution – Setting the Salary for Senior Legal Secretary – *Presented by Emily Woodard, Assistant District Attorney, Madeline Contiguglia, Assistant to District Attorney*

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Resource Assistant (Crime Analyst) –
Presented by Debbie Makowski, Director of Human Resources

Unanimously Carried

Proposed Resolution – Reallocating Salary Grade for Network Infrastructure Supervisor –
Presented by Jon DeAngelo, Chief Information Officer

Unanimously Carried

Proposed Resolution – Reallocating Salary Grades for Storekeeper I, Storekeeper II and Storekeeper III – *Presented by Tim Card, DPF Director*

Unanimously Carried

Proposed Resolution – Amend 2025 Budget – District Attorney – *Presented by Sam Zafuto, Deputy Director of Finance*

Unanimously Carried

Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Department of Mental Hygiene and Social Services – *Presented by Dianna Songer, Deputy Director of Finance for Human Services*

Unanimously Carried

Proposed Resolution – Authorize Acceptance of New York State OASAS 2025 Funds for Substance Use Disorder Prevention and Treatment – *Presented by Trish McClennan, Deputy Director of Mental Hygiene and Social Services*

Unanimously Carried

Proposed Resolution – Authorizing Standardization of Viken Detection Pb200e XRF Lead Paint Analyzer – *Presented by Jessica Wuerstle, Director of Environmental Health Services, Anna Powell, Childhood Lead Poisoning Program Coordinator/Manages HUD Lead Hazard Controlling Healthy Homes Production Grant Funds*

Unanimously Carried

Proposed Resolution – Authorizing Public Hearing Regarding a Potential Application for 2025 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Said Funding – *Presented by Stephanie Nick, Special Projects Coordinator with the Department of Planning & Economic Development*

Unanimously Carried

Other –

Proposed Resolution – Authorization for the County to Apply for Grants on Behalf of the South and Center Chautauqua Lake Sewer Districts for Review of Wastewater Treatment Plant Capacity – *Presented by Pierre Chagnon, Chairman of the Legislature*

Unanimously Carried

Discussions –

1. Discussion/Presentation – Status of Capital Projects at JCC – *Presented by Kathleen Dennison, Interim VP for Finance & Operations For JCC*
2. Review of Unaudited 2024 Year End Results – *Presented by Kitty Crow, Finance Director, Jennifer Swan, Budget Director*
3. Review of Investment Portfolio – *Presented by Kitty Crow, Finance Director*

Kitty Crow: So, as we just said, we did have a surplus of interest earnings, you know, that we've just had a good year the last couple of years. We are continuing to, oh, as a reminder, this discussion does need to be included in the minutes. It's under one of our corrective action plan so the discussion does need to be written out in the minutes.

Chairman Pavlock: Just for clarification, that's the Review of the Investment Portfolio as Kitty has identified it as part of the duties of the Audit and Control Committee to have a yearly analysis of that- quarterly.

Kitty Crow: So, we continue to experience very healthy earnings. We've been doing what we can to, as we have cash available, to lock into the higher rates. The last year and this what we've done with our reinvesting cash and then as we know how much we're going to receive back from our investments in the year. And the last two years what we've done is say we know our cash receipts are coming in for taxes, they kind of ramp up from the beginning of the year up through April, May, June. We know how much is eventually in cash going to come back by the end of the year from our investments, so we are able to lock in some higher rate yielding investments earlier in the year rather than wait for them to pay down every month. So that's helped us to generate a lot of additional interest and lock into higher yielding investments. So, that'll probably you know, those opportunities as rates come down won't be available, you know, forever, but we've been doing our best to try and lock in what we can at a higher rate. We work with a liquidity partner and that's – this report that I've handed out – they provide us this quarterly report. And what they help as monitor, is what we need to have in liquid cash so, and for how long our investments can be without impacting our liquidity needs. And I'm proud to report that we did, our most recent score was again a ninety-nine so you can see there that's their chart of their scoring system. Down below are the different categories of which they will review our performance. And, we've consistently performed at about a ninety-nine since early 2023. So, and I just, this is just one page of their like twelve-page report. But this just kind of highlights the things that they measure and how we are doing. So, I just thought I would share that with you. I just want you to know too, like in terms of, I didn't hand this out but I do have a couple of charts – just something that we always look at is something like – our brokers provide information to us as well. Of all the investments we have, this is when the cash is going to come back to the county so we can always see that we have money coming back to us when we are going to need it. But we do try to keep everything invested until we actually need it. We also utilize an investment pool, as in New York Municipal Trust which has allowed us to invest our liquid dollars. Like our current year cash needs in that fund that's pretty much replaced Money Markets that we've used in the past or CD's or Treasuries. This pool can invest in all of them, those things themselves, but what's good about it is it's a very liquid pool. So, we can take money in and out on a daily basis as frequently as we want. Whereas most Money Markets require, or limit you to so many transactions a month – maybe sometimes only three or four, but this way we can sweep all our money in pretty much on a daily basis and then take it back out when we are running A/P or Payroll. So, it really helps us to keep that cash invested right up until we need it.

Chairman Pavlock: Questions regarding our Investment Report or in general, anything you'd like to ask about the investment strategies of the county?

Legislator Johnson: I'd love to see just what the monthly cycle of the liquidity balance looks like – seasonally. So, you can see what the low point is, and highpoints are. This is all kind of average.

Kitty Crow: I'll send you this full report and it shows you, because they map out like, because our spending is very cyclical. So, we get the cash in the beginning of the year and we have a check run every week, payroll every week, so some of it is pretty predictable in terms of our spending. So, in the report you'll see how much – that line is to – our lowest point in the year is usually like December, January, February and then our cash receipts are coming in. So, that shows you, that report will show you of all of the cash that we have, how much we need in the

next three months, in the next six months, in the next nine months or however far out. And it will show you how much we have invested for certain durations so that... I'll send the full report – there is a lot more to this. This is just the highlights of what they monitor. And just as a reminder, the investment earnings as our Financial Management Policy stipulates, are dedicated toward Capital Projects. So, that's all we use these funds for, is toward our Capital Projects.

3. 2024 Q4 ARPA Report – *Presented by Blake Ihrig, Director of Administrative Services with the Department of Finance*

MOVED by Legislator Johnson, SECONDED by Legislator Dickey to adjourn

Unanimously Carried (12:48 p.m.)

Respectfully submitted and transcribed,
Kristi Zink, Deputy Clerk of the Legislature/Nancy Quattrone, Committee Secretary