

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

RES. NO. 119-25
Confirm Appointment – North Chautauqua Lake Sewer District

By Public Facilities Committee:

At the Request of Chairman Pierre E. Chagnon:

WHEREAS, the North Chautauqua Lake Sewer District was established as a County Sewer District by Resolution 86-75, as amended, and Resolution 37-76; and

WHEREAS, Pursuant to County Law §261 Resolution 38-76; as amended by Resolutions 263-19 and 148-21, the District is administered by a board consisting of six (6) members, five (5) of whom are appointed by the County Legislature and serve six (6) year terms, and one (1) of whom is appointed by the Chairman of the County Legislature and serves at the pleasure of the Chairman of the County legislature; and

WHEREAS, one Board Member resigned at the end of his term which expired on 12/31/24, leaving a vacancy; and

WHEREAS, District Sewer Board members recommend appointment to the Board of the individual named below; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby appoints the following member to the North Chautauqua Lake Sewer District Board effective immediately upon confirmation by the Legislature.

Daniel Roush
35 East Evans Street
Mayville, NY 14757
Term to Expire: December 31, 2030
Signed: Heiser, Scudder, Anthony

RES. NO. 120-25
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.

Ted Wightman
6460 Charlotte Center Rd.
Sinclairville, N.Y. 14782
Term Expires: 12/31/2027
(New Appointment)
(Replacing Steven Thorpe)
Signed: Harmon, Larson, Dickey, Penhollow

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

RES. NO. 121-25
Appointment to the Chautauqua County
Agricultural & Farmland Protection Board

By Planning and Economic Development Committee:

At the Request of Chairman Pierre Chagnon:

WHEREAS, Legislature Chairman Pierre Chagnon, 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 Chautauqua County Agricultural & Farmland Protection Board for terms in accordance with Article 25-AA Section 302 of the New York State Agriculture & Markets Law:

Richard Jozwiak

Active Farmer

9287 Chautauqua Road

Fredonia, NY 14063

Term Expires: 12/31/2028

(New Appointment – Replacing vacancy left by Brian Aldrich)

Katelyn Walley-Stoll

Cornell Cooperative Extension Agent

10312 Chautauqua Road

Cattaraugus, NY 14719

Term Expires: 12/31/2028

(New Appointment – Replacing Emily Reynolds resigned 4/9/2025)

Signed: Harmon, Larson, Dickey, Penhollow

RES. NO. 122-25
Amend 2025 Budget for CARTS

By Public Facilities and Audit & Control Committees:

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

WHEREAS, The Department of Public Facilities division of CARTS (CHQ Transit) entered into an Agreement of Service with Spectrum Enterprise for advertising during Q4 2024; and

WHEREAS, CARTS realized an increase in ridership revenues as a direct result of said advertising; and

WHEREAS, CARTS would now like to enter into a formal agreement for advertising with Spectrum; and

WHEREAS, this increased expense and revenue is not included in the 2025 Adopted Budget; now therefore be it

RESOLVED, That the Director of Finance is authorized to make the following change to the 2025 Adopted Budget:

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

INCREASE APPROPRIATION ACCOUNT:

A.5630.5625.4 Contractual – CARTS \$35,000

INCREASE REVENUE ACCOUNT:

A.5630.5625.R178.9000 Departmental Income – Oth Transportation Income \$35,000
Signed: Heiser, Scudder, Anthony, Dickey, Pavlock

RES. NO. 123-25

Approves New York State Environmental Quality Review Act (SEQRA)
Findings for the North Chautauqua Lake Sewer District Wastewater
Treatment Plant Expansion Project

By Planning & Economic Development Committee:

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

WHEREAS, in 2004, the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) completed a study regarding the Total Maximum Daily Load (TMDL) for phosphorous in Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, generally including upgrades to Waste Water Treatment Plants (WWTPs) and development of sewer collection infrastructure around the Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts, and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS the CLISMP recommended WWTP upgrades and development of sewer infrastructure around the Lake, including infrastructure improvements to the North Chautauqua Lake Sewer District; and

WHEREAS, pursuant to Resolution 129-24, the Chautauqua County Legislature accepted grant funds from the NYSDEC Engineering Planning Grant Program and appropriated NCLSD funds to prepare a Preliminary Engineering Report (PER) to evaluate the existing treatment capacity and future treatment needs for the WWTP; and

WHEREAS, the PER determined that portions of the WWTP’s physical infrastructure had exceeded its useful life and the treatment processes were insufficient to consistently achieve regulatory compliance at current or potentially increased flows; and

WHEREAS, the NCLSD Board approved the PER and caused the preparation of the Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project in accordance with New York State County Law 5-A, Section 268 Increase and Improvement of Facilities; and

WHEREAS, on February 28, 2025 the NCLSD met and approved the Map and Plan - North Chautauqua Lake Sewer District Wastewater Treatment Plant Expansion Project and to make its recommendation to the Chautauqua County Legislature that it is in the public interest to advance the North Chautauqua Lake Sewer District’s WWTP Expansion Project, to cause Part 1 of the Long Environmental Assessment Form (LEAF) to be prepared and to establish

Chautauqua County as Lead Agency for the New York State Environmental Quality Review (SEQR) proceedings; and

WHEREAS, pursuant to Resolution 97-25 the Chautauqua County Legislature accepted the Sewer District's recommendations that the WWTP Expansion Project is in the public interest, reviewed Part 1 of the LEAF, and in doing so, determined that the WWTP Expansion Project is a "Unlisted Action" as defined by SEQR in 6 NYCRR Part 617.5, and established itself as Lead Agency to further advance the SEQR process; and

WHEREAS, as, Lead Agency, the Chautauqua County Legislature caused Part 2 of the Full Environmental Assessment Form (FEAF) – Identification of Potential Project Impacts to be completed, and upon due consideration of Part 2 of the FEAF, caused Part 3 of the FEAF – Evaluation of the Magnitude and Importance of Project Impacts and Determination of Significance to be completed; now therefore, be it

RESOLVED, upon review of Parts 2 and 3 of the FEAF, and having considered the facts and conclusions relied on to meet the requirements of 6 NYCRR Part 617, the Chautauqua County Legislature hereby finds in accordance with Article 8 of New York State Environmental Conservation Law that:

- 1) the requirements of 6 NYCRR Part 617 have been met; and
- 2) implementation of the proposed action will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized on behalf of the County to execute a "Negative Declaration" for the proposed action.

Signed: Harmon, Larson, Dickey, Penhollow

RES. NO. 124-25

North Chautauqua Lake Sewer District Determinations in Relation to
the Upgrade of Wastewater Treatment Plant Infrastructure

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the Chautauqua County Legislature adopted Resolution 98-25 calling a public hearing pursuant to County Law §268 for the purpose of considering a project to upgrade infrastructure in the Wastewater Treatment Plant (WWTP) of the North Chautauqua Lake Sewer District (NCLSD); and

WHEREAS, notice of said public hearing was duly published as required by law and the public hearing was held at the Legislative Chambers, Gerace Office Building, Mayville, New York, on April 23, 2025, at 6:35 PM, prevailing time; and

WHEREAS, the Legislature has duly considered the February 2025 Map, Plan and Report prepared by Square Engineering, competent engineers and duly licensed in the state of New York, as well as the testimony and other information received by said engineering firm at the public hearing and otherwise; now therefore be it

RESOLVED, upon the Map, Plan and Report and other data filed with it, the Legislature hereby determines in accordance with County Law §268 that it is in the public interest to construct the proposed improvements to the NCLSD WWTP as described in the Map, Plan and

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

Report and in the Notice of Public Hearing for a maximum amount to be expended of \$10,147,000.00 (the Project), and the Project is hereby approved; and be it further

RESOLVED, That the initial allocation of the costs of the improvements as described in the Map, Plan and Report and in the Notice of Public Hearing are hereby approved with NCLSD users paying an estimated annual cost of \$121.00, which, when added to the estimated average annual sewer charge, will be expected to result in a maximum annual sewer charge of \$737.00; and be it further

RESOLVED, That to the extent that the cost of the improvements and the expense of operation and maintenance are not paid from the revenues of the NCLSD, they shall be assessed in proportion as nearly as may be to the benefit which each lot or parcel in the NCLSD will derive therefrom; and be it further

RESOLVED, That the NCLSD Board is directed to proceed with the improvement in the manner specified by County Law §262 upon:

1. Comptroller approval of the Project; and
2. Financing being secured in an amount and manner satisfactory to the NCLSD

Board.

Signed: Heiser, Pavlock, Scudder, Anthony, Dickey

RES. NO. 125-25

North Chautauqua Lake Sewer District Capital Account Establishment
in Relation to the Project to Upgrade Wastewater Treatment Plant Infrastructure

By Public Facilities and Audit & Control Committees:

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

WHEREAS, pursuant to Resolution 98-25, the County Legislature determined that it is in the public interest to perform work to upgrade the infrastructure of the North Chautauqua Lake Sewer District (District) Wastewater Treatment Plant; and

WHEREAS, it is appropriate to establish capital accounts for the undertaking of the work; and

WHEREAS, the financing of the work will be accomplished by a combination of grants, loan funding, and bonds, but the exact dollar amount of each revenue source is not known, so the revenue budgets cannot be established at this time; now therefore be it

RESOLVED, That the Director of Finance is authorized and directed to establish accounts for the District's capital improvements, as follows:

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

ESN.8130.30001.4 Contractual—Sewage Treatment—NCLSD WWTP (2025) \$10,147,000

Signed: Heiser, Scudder, Anthony, Dickey, Pavlock

RES. NO. 126-25

A Resolution Authorizing the Issuance of \$10,147,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the North Chautauqua Lake Sewer District Upgrade of Wastewater Treatment Plant Infrastructure Project

By Public Facilities and Audit & Control Committees:

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

WHEREAS, Resolution 37-76 established the North Chautauqua Lake Sewer District (NCLSD) in accordance with County Law Article 5-A; and

WHEREAS, some portions of NCLSD infrastructure were constructed in the early 1980s, and other portions acquired from another party date as far back as the 1950s; and

WHEREAS, the engineering firm Square Engineering, duly licensed in the State of New York, was engaged to perform a study of the Wastewater Treatment Plant (WWTP); and

WHEREAS, several treatment process components at the WWTP are reaching the end of their useful lives and some are capacity-limited; and

WHEREAS, upon conducting a comprehensive analysis of essential WWTP upgrades, Square Engineering has developed a Map, Plan and Report detailing recommended WWTP improvements (the Project) along with estimated Project costs; and

WHEREAS, all conditions precedent to the financing of this capital project, including compliance with the provisions of the State Environmental Quality Review Act, have been performed; and

WHEREAS, it is now desired to provide for the financing and undertaking of the WWTP improvements authorized pursuant to the Local Finance Law; now, therefore,

BE IT RESOLVED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The design and construction of improvements in the North Chautauqua Lake Sewer District's WWTP, in and for the County of Chautauqua, New York, is hereby authorized at a maximum estimated cost of \$10,147,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of not exceeding \$10,147,000 bonds of said County hereby authorized to be issued therefore pursuant to the provisions of the Local Finance Law; provided, however, the amount of bonds to be issued shall be reduced to the extent of grants received.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell the bonds and bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 5. The Director of Finance is hereby further authorized to execute a project finance agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments

thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose.

Section 6. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such obligations as the same respectively become due and payable. An annual appropriation shall be made in each year sufficient to pay the principal of and interest on such obligations becoming due and payable in such year. To

the extent not paid from assessments within the Extension or other sources, there shall annually be levied on all the taxable real property of said County a tax sufficient to pay the principal of and interest on such obligations as the same become due and payable.

Section 7. All other matters except as provided herein relating to the serial bonds herein authorized, including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 8. The validity of such bonds and bond anticipation notes may be contested only if:

1. Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
2. The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty (20) days after the date of such publication, or
3. Such obligations are authorized in violation of the provisions of the Constitution.

Section 9. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the objects or purposes described herein.

Section 10. No expenditure shall be made or contract let for the purpose authorized by this bond resolution unless and until the State Comptroller shall consent to such expenditure.

Section 11. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers of Chautauqua County, together with a notice of the clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law.

Signed: Heiser, Pavlock, Scudder, Anthony, Dickey

RES. NO. 127-25

Authorize County to Apply for Grants on Behalf of the North Chautauqua Lake
Sewer District for Upgrade of Wastewater Treatment Plant Infrastructure

By Public Facilities and Audit & Control Committees:

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

WHEREAS, North Chautauqua Lake Sewer District (NCLSD) infrastructure was initially installed in the 1950's and 1980's and much of the infrastructure has not been updated or repaired since that time; and

WHEREAS, the engineering firm Square Engineering, duly licensed in the State of New York, was engaged to perform a study of the Wastewater Treatment Plant (WWTP); and

WHEREAS, several treatment process components at the WWTP are reaching the end of their useful lives and some are capacity-limited; and

WHEREAS, Square Engineering prepared an engineering report reviewing and analyzing needed WWTP improvements and alternatives and making recommendations, and developed a Map, Plan, and Report for recommended WWTP improvements (the Project) together with an estimate of Project costs; and

WHEREAS, government loan and grant funds for the Project may be available from numerous sources including without limitation the New York State Environmental Facilities Corporation (EFC)- EPA Clean Water State Revolving Fund (CWSRF) program, the USDA Rural Development Program, EFC's Water Infrastructure Improvement Act (WIIA) program, the New York State Department of Environmental Conservation's Water Quality Improvement Project (WQIP) program, the DEC-EFC Engineering Planning Grant (EPG) program, Empire State Development's Empire State Economic Development Fund Program, and Bipartisan Infrastructure Law (BIL) funds; and

WHEREAS, it is in the best interest of the County and NCLSD customers to apply for funding assistance when available; now therefore, be it

RESOLVED, That the County Executive is authorized to submit Project funding applications to federal and state government entities, to execute related documents, and to represent the County in connection with such funding applications; and be it further

RESOLVED, That when a Project funding application is successful, upon the County Legislature's approval of the funding and allocation of any required matching funds, the County Executive is authorized to execute and submit the contracts and documents necessary to secure funds and to represent the County in all matters related to Project funding.

Signed: Heiser, Scudder, Anthony, Dickey, Pavlock

RES. NO. 128-25
Amend Capital Project Accounts—Jamestown Community College

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

WHEREAS, in previous budgets, Chautauqua County approved a number of capital projects for Jamestown Community College; and

WHEREAS, the funding needs for one such project has exceeded original estimates due to the discovery of required asbestos abatement and an increase of funding is needed; now therefore be it

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

INCREASE THE USE OF RESERVED FUND BALANCE:

A.----.----.878.0000 Reserve for Capital—Reserve for Capital \$23,194

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers--Transfer to Capital \$23,194

INCREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00016.4 Contractual-Community College Tuition-Interior
Repairs/Renovat (2024) \$46,694

DECREASE CAPITAL APPROPRIATION ACCOUNT:

HH.992490.00860.4 Contractual- Community College Tuition-Community
Srvcs Ctr Demo (2012) \$23,500

INCREASE CAPITAL REVENUE ACCOUNT:

HH.9692490.00016.R503.1000 Interfund Transfers-Interfund Transfer \$23,194

; and be it further

RESOLVED, upon completion of the amendments above and confirmation of final voucher submission that the Director of Finance close capital project HH.992490.00860 and reconcile or post adjustments 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, Vanstrom, Anthony, Heiser, Dickey, Pavlock

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

RES. NO. 129-25
Amend 2024 Budget for Year End Reconciliations –
Miscellaneous Department

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

WHEREAS, some Miscellaneous Department expenditures have exceeded initial budgetary estimates; and

WHEREAS, the Miscellaneous Department has received revenues in excess of budget; 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.1985.----.4 Contractual – Municipal Sales Tax \$437,454

INCREASE REVENUE ACCOUNTS:

A.1985.----.R111.0MUN Non Prop Tax Items – Sales Tax-Muni Make Whole \$437,454

Signed: Scudder, Vanstrom, Anthony, Heiser, Dickey, Pavlock

RES. NO. 130-25
Transfer American Rescue Plan Act (ARPA) Spending
Plan Budgets from 2024 to 2025

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

WHEREAS, the 2024 Adopted Budget was amended to include appropriations and revenues for a number of projects funded by the American Rescue Plan Act (ARPA); and

WHEREAS, some of these projects were not completed in 2024, but are expected to be continued and/or completed in 2025; and

WHEREAS, the remaining budgets for these projects need to be included in 2025 operating budget; now 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 ACCOUNTS:

A.4090.----.4	Contractual - Environmental Health	\$ 2,793
A.4090.----.4	Contractual - Environmental Health	\$ 11,126
A.8020.WTRS.4	Contractual - Planning	\$ 8,287
A.6420.COMC.4	Contractual - Promotion of Industry	\$149,921
A.1410.----.4	Contractual - County Clerks	\$ 15,582
A.3150.----.4	Contractual - Jail	\$ 27,863
A.8020.WTRS.2	Equipment - Planning	\$ 84,109
A.3010.----.4	Contractual - Emergency Services	\$ 217
A.8020.WTRS.4	Contractual - Planning	\$ 18,820
A.1680.----.4	Contractual - Information Technology	\$ 32,833

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

A.4320.----.4	Contractual - Mental Hygiene Programs	\$ 10,000
A.1185.----.4	Contractual - Med Examiners & Coroners	\$ 70,451
A.1185.----.4	Contractual - Med Examiners & Coroners	\$ 78,181
A.4320.----.4	Contractual - Mental Hygiene Programs	\$164,834
DM.5130.----.4	Contractual - Road Machinery	\$ 29,500
A.9901.----.9	Interfund Transfers - Transfer to Other Funds	\$ 29,500
A.3010.----.2	Equipment - Emergency Services	\$ 23,540
A.3010.----.2	Equipment - Emergency Services	\$ 26,013
A.3010.----.2	Equipment - Emergency Services	\$ 18,958
A.1410.----.4	Contractual - County Clerks	<u>\$ 89,887</u>
	Total	\$892,415

INCREASE REVENUE ACCOUNTS:

A.4090.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 2,793
A.4090.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 11,126
A.8020.WTRS.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 8,287
A.6420.COMC.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$149,921
A.1410.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 15,582
A.3150.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 27,863
A.8020.WTRS.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 84,109
A.3010.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 217
A.8020.WTRS.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 18,820
A.1680.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 32,833
A.4320.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 10,000
A.1185.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 70,451
A.1185.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 78,181
A.4320.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$164,834
DM.5130.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 29,500
A.9901.----.R408.9ARP	Interfund Transfers-Oth Fed Aid ARPA Funds	\$ 29,500
A.3010.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 23,540
A.3010.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 26,013
A.3010.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	\$ 18,958
A.1410.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	<u>\$ 89,887</u>
	Total	\$892,415

Signed: Scudder, Pavlock, Vanstrom, Anthony, Heiser, Dickey

RES. NO. 131-25
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

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

WHEREAS, some projects within the Chautauqua County ARPA Spending Plan are completed and can be closed, and some projects are deemed no longer necessary and can be cancelled; 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:

- #7 Women’s Emergency Shelter
- #20 Airport Essential Air Service Study
- #29 Soil & Water Conservation District
- #30 Chautauqua Lake District Work Plan
- #38 OES Upgrades
- #48 Pilot Rapid-Response Emergency Fund
- #50 Sherman Shop Fuel System Upgrade
- #51 Broadband
- #58 Carts Hub/Junction
- #63 UTV Tracked Emergency Response Vehicle
- #66 Building Emergency Alert System
- #67 Virtual Reality Training Unit
- #68 Various Jail Projects
- #77 PPD Sewer District Funding Gap
- #78 Study of Public Sewers CHQ Lake
- #80 Outward Leadership
- #85 Resurfacing Parking Lots HRC/DMV
- #86 Asphalt Hot Box Trailer
- #89 Restaurant Appliances

; 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.3010.14011.4	Contractual - Emergency Services	\$ 107
A.9950.----.9	Interfund Transfers - Transfer to Capital	<u>\$ 107</u>
	Total	\$ 214

DECREASE APPROPRIATION ACCOUNTS:

H.6420.37014.4	Contractual - Promotion of Industry	\$1,500,000
A.9950.----.9	Interfund Transfers - Transfer to Capital	<u>\$1,500,000</u>
	Total	\$3,000,000

INCREASE REVENUE ACCOUNTS:

H.3010.14011.R503.1000	Interfund Transfers-Interfund Transfer	\$ 107
A.9950.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	<u>\$ 107</u>
	Total	\$ 214

DECREASE REVENUE ACCOUNTS:

H.6420.37014.R503.1000	Interfund Transfers-Interfund Transfer	\$1,500,000
A.9950.----.R408.9ARP	Federal Aid-Oth Fed Aid ARPA Funds	<u>\$1,500,000</u>
	Total	\$3,000,000

; and be it further

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

RESOLVED, That the Director of Finance close the capital project H.3010.14011, H.5130.25977, H.6420.37014, H.5630.25261 & H.5130.626 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, Vanstrom, Anthony, Heiser, Dickey

RES. NO. 132-25

Supporting Passage of A.7251 & S.7149 - "AN ACT to amend the tax law, in relation to extending the authorization for Chautauqua County to impose an additional one percent rate of sales and compensating use taxes."

By Administrative Services and Audit & Control Committees:

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

WHEREAS, the authority for the County's additional one percent (1%) sales tax will expire on November 30, 2025; and

WHEREAS, the New York State Legislature has pending legislation that would authorize the County to extend the additional one percent (1%) sales tax from December 1, 2025 through November 30, 2027, subject to the same requirements as the current legislation; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby support the passage of New York State Assembly Bill No. A.7251 and New York State Senate Bill No. S.7149 entitled "AN ACT to amend the tax law, in relation to extending the authorization for Chautauqua County to impose an additional one percent rate of sales and compensating use taxes."

Signed: Scudder, Pavlock, Vanstrom, Anthony, Heiser, Dickey

RES. NO. 133-25

Supporting Passage of A.7256 & S.7195 - "AN ACT to amend the chapter 405 of the laws of 2007, amending the tax law relating to increasing hotel/motel taxes in

Chautauqua County, in relation to extending the expiration of such provisions; and to amend chapter 335 of the laws of 2023, amending the tax law relating to the allocation of revenue from the hotel and motel taxes in Chautauqua County, in relation to extending the expiration of such provisions"

By Administrative Services and Audit & Control Committees:

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

WHEREAS, the authority for the County's additional five percent (5%) occupancy tax which allows additional funds to be dedicated to the enhancement of lakes and streams in the County will expire on November 30, 2025; and

WHEREAS, the New York State Legislature has pending legislation that would authorize the County to extend the additional five percent (5%) occupancy tax from December 1, 2025 through November 30, 2027, subject to the same requirements as the current legislation; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby support the passage of New York State Assembly Bill No. A.7256 and New York State Senate Bill No. S.7195

entitled “AN ACT to amend the chapter 405 of the laws of 2007, amending the tax law relating to increasing hotel/motel taxes in Chautauqua County, in relation to extending the expiration of such provisions; and to amend chapter 335 of the laws of 2023, amending the tax law relating to the allocation of revenue from the hotel and motel taxes in Chautauqua County, in relation to extending the expiration of such provisions”

Signed: Scudder, Pavlock, Vanstrom, Anthony, Heiser, Dickey

RES. NO. 134-25

Authorize Regional Partnership Agreements with Municipalities
for the Explosive Detection Canine Program

By Public Safety Committee:

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

WHEREAS, the New York State Department of Homeland Security and Emergency Services (DHSES) requests that recipients of Explosive Detection Canine Team grants work together to implement the projects, goals, and objectives identified in their jointly-submitted grant application; and

WHEREAS, the Chautauqua County Sheriff is the Submitting partner and fiduciary agent of regional Explosive Detection Canine Team grant applications; and

WHEREAS, the Sheriff proposes that an inter-municipal partnership agreement be established, allowing the regional agencies to work together on common projects, goals, and objectives; and

WHEREAS, such partnership agreements do not involve any payment of funds; and

WHEREAS, the below agencies will be Participating partners in the initial regional partnership agreement:

Erie County
Cattaraugus County
Lakewood-Busti Police Department
Jamestown Police Department

; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute regional partnership agreements with regional municipalities for so long as Explosive Detection Canine Team grants are available.

Signed: Niebel, Landy, Proctor

RES. NO. 135-25

Authorize Amendment of Lease Agreement with the City of Dunkirk to Increase
Office Space for the Office of the Chautauqua County Public Defender

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

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

WHEREAS, the County of Chautauqua desires to amend the lease agreement authorized by Resolution 257-22 leasing approximately 775 square feet of office space on the second floor of

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

Dunkirk City Hall, located at 342 Central Avenue, Dunkirk, New York (“Premises”) for use by the Office of the Chautauqua County Public Defender; and

WHEREAS, negotiations have been undertaken to obtain an amended lease agreement mutually beneficial to the County of Chautauqua and the City of Dunkirk to add an additional ~~1260~~ square feet more or less of office space on the second floor of Dunkirk City Hall; and **1080**

WHEREAS the 2025 Adopted Budget includes appropriations for lease expenditures and other occupancy costs associated with the Premises, as well as a revenue budget for reimbursement of those costs from the New York State Office of Indigent Legal 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 the following terms and conditions:

1. Premises. Approximately ~~2035~~ **1855** square feet of office space on the second floor of Dunkirk City Hall, 342 Central Avenue, Dunkirk New York.
2. Term. The original lease term is in effect until December 31, 2027. The amended lease, with new terms, will run from the effective date through December 31, 2027.
3. Rent. The amended rent shall be as follows:
~~\$3,025.00~~ **\$2,750** per month commencing on the effective date of the amended lease through December 31, 2025.
~~\$3,150.00~~ **\$2,875** per month commencing on January 1, 2026 through December 31, 2026.
~~\$3,300.00~~ **\$3,000** per month commencing on January 1, 2027 through December 31, 2027.
4. Utilities. Landlord shall be responsible for all utilities, including heat and electric. County shall be responsible for the cost of phone and internet service.
5. Other. As negotiated by the County Executive.

(4/14/25 PF – Amended with strikethrough and new text in bold)

Signed: Heiser, Scudder, Anthony, Landy, Proctor, Niebel, Dickey, Pavlock

RES. NO. 136-25
FY2024 Hazardous Materials Emergency Preparedness
(FY24HMEP) Grant Program

By Public Safety and Audit & Control Committees:

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

WHEREAS, Chautauqua County and its regional partnership were awarded funds of \$16,000.00 under the FY2024 Hazardous Materials Emergency Preparedness (HMEP) Grant Program and funding is provided by the U.S. Department of Transportation (DOT), Pipeline and Hazardous Materials Safety Administration (PHMSA) and administered by the NYS Division of Homeland Security and Emergency Services (DHSES); and

WHEREAS, an in-kind local match in the amount of \$4,000 is required; and

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

WHEREAS, the HMEP Planning grants are used to develop, improve, and implement emergency plans; determine flow patterns of hazardous materials within a state and between states; and determine the need within a state for regional hazardous materials emergency response teams; and

WHEREAS, the term of the grant is March 1, 2025 through September 30, 2025, and as maybe extended; and

WHEREAS, \$10,000 of the FY2024 Hazardous Materials Emergency Preparedness (HMEP) Grant was included in the 2025 Adopted Budget, now therefore be it

RESOLVED, That the County Executive is hereby authorized to execute all necessary agreements to accept the award and subsequent changes to work plans if necessary; and be it also

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

INCREASE APPROPRIATION ACCOUNT:

A.3640. ----.4	Contractual-Hazardous Materials	\$16,000	\$ 6,000
----------------	---------------------------------	---------------------	-----------------

INCREASE REVENUE ACCOUNT:

A.3640. ----.R430.5004	Federal Aid-Homeland Security	\$16,000	\$ 6,000
------------------------	-------------------------------	---------------------	-----------------

(4/16/25 PS – Amended by substitution)

Signed: Niebel, Dickey, Scudder, Pavlock, Landy, Proctor

RES. NO. 137-25
Authorize Standardization of Stryker Equipment
for Office of Emergency Services

By Public Safety Committee:

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

WHEREAS, the Office of Emergency Services' ambulances currently have stair chairs, cots, cot securing mechanisms, cardiac monitors, and automatic CPR machines (Equipment) that are all Stryker Corporation products; and

WHEREAS, all County ambulances are equipped with Stryker Corporation fixtures that secure the Equipment during transport, and such fixtures are not compatible with the Equipment of other manufacturers; and

WHEREAS, Equipment needs to be readily transferrable from one ambulance to the other; and

WHEREAS, standardization of Equipment furthers the efficiency of time-critical ambulance services; and

WHEREAS, standardization of Equipment, rather than having multiple brands of Equipment, eliminates the need to purchase and install fixtures for multiple brands of Equipment, and may lead to economies of scale in the maintenance and repair of Equipment; and

WHEREAS, standardization of the fixtures that secure the Equipment supports the ability to have back-up Equipment that is universally available for use in County ambulances; and

WHEREAS, in order to maintain conformity, ease of equipment use, and contracts for service and preventative maintenance of units, the County's Office of Emergency Services recommends that Stryker Corporation be set as the sole source for Equipment and Equipment fixtures for the Office of Emergency Services; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

04/23/2025

RESOLVED, That the Legislature of the County of Chautauqua finds that standardization of Stryker Corporation equipment and fixtures, as described herein, for the Office of Emergency Services, is in the best interest of the Office of Emergency Services and the County of Chautauqua.

Signed: Niebel, Landy, Proctor

RES. NO. 138-25

Authorizing Submission of Application for 2025 Community Development Block Grant Funding through the New York State Office of Community Renewal

By Planning & Economic Development Committee and Audit & Control Committees:

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

WHEREAS, Tulip's Brunch House LLC (the "Company") plans to equip, furnish and operate a restaurant at the location formerly known as House on the Hill, located at 186 S. Erie Street, Mayville, New York (the "Project"); and

WHEREAS, the Company has requested that Chautauqua County apply for funding on its behalf from the New York State Office of Community Renewal (the "OCR") to finance a portion of the Project costs; and

WHEREAS, Chautauqua Region Economic Development Corporation ("CREDC") is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to CREDC as a grant for the purpose of making a loan or loans to the Company; and

WHEREAS, the Project will result in substantial benefit to Chautauqua County in the form of new investment and new employment positions; and

WHEREAS, the County has held a public hearing to obtain citizens' views regarding the CDBG program as administered by OCR and the Project; now therefore be it

RESOLVED, That the County Executive is hereby authorized to submit a grant application on behalf of Chautauqua County to the OCR to support the Project; and be it further

RESOLVED, That the County Executive is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with CREDC for the implementation of the Project and administration of the OCR grant, all such documents being subject to review and approval by the Chautauqua County Law Department; and be it further

RESOLVED, That the County Executive is hereby designated as the Certifying Officer responsible for all activities associated with the federal environmental review process to be completed for the Project.

Signed: Harmon, Larson, Dickey, Penhollow, Scudder, Pavlock

RES. NO. 139-25

Amend 2025 Budget to Implement Waterway Hazard Removal Using Interest Earnings From American Rescue Plan Act (ARPA) and 3% Occupancy Tax Reserve

By Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, Chautauqua County (the County) received an award of \$24,649,420 in American Rescue Plan Act (ARPA) funding; and

CHAUTAUQUA COUNTY LEGISLATURE

04/23/2025

WHEREAS, such funds have been invested on an interim basis; and

WHEREAS, the interest income earned from the invested ARPA funds is available to be utilized by the County and a procedure has been established for the ARPA working group to review the remaining project requests; and

WHEREAS, The Chautauqua County Department of Planning and Development, in partnership with the Department of Public Facilities, Division of Parks, seeks to fund a capital project for Waterway Hazard Removal; and

WHEREAS, this project will enable the completion of the Marden Cobb Waterways hazard removal project, leveraging additional tourism potential, and aligning with other planning and development goals of the County; and

WHEREAS, the Chautauqua County Parks Commission and Chautauqua County Planning Board have reviewed this request and recommended its approval; and

WHEREAS, the Waterway Hazard Removal project has been reviewed by the ARPA Working Group and the County is pursuing the use of ARPA interest earnings to fund the project; and

WHEREAS, the APRA Interest Earnings Account has a minimum balance of \$87,000, and the 3% Occupancy Tax Reserve has a balance of \$716,631.86 as March 26, 2025; and

WHEREAS, \$87,000 in ARPA Interest Earnings and \$63,000 in 3% Occupancy Tax Reserve Funding is being sought for this project, for a total project cost of \$150,000 for this phase of work; and

WHEREAS, a budget amendment is necessary to authorize spending for the project; now therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into any necessary agreements for the above-named project; and be it also

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

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

A.----.----.883.0000 Reserved Fund Bal-Reserve for Occupancy Tax \$ 63,000

; 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 APPROPRIATION ACCOUNTS:

HH.257110.25300.4	Contractual-Waterway Hazard Removal	\$ 150,000
A.9950.----.9	Interfund Transfers-Transfer to Capital	<u>\$ 150,000</u>
	Total	\$ 300,000

INCREASE REVENUE ACCOUNT:

HH.257110.25300.R503.1000	Interfund Transfers-Interfund Transfer	\$ 150,000
A.9950.----.R240.1REG	Transfer to Capital-Int & Earn: Regular	<u>\$ 87,000</u>
	Total	\$237,000

Signed: Harmon, Scudder, Larson, Pavlock, Dickey, Penhollow

RES. NO. 140-25
Accept State Environmental Quality Review of Proposed
2025 Agricultural District Inclusions

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

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts No. 1, 7, 8, and 10; and

WHEREAS, the Agricultural District Law, Article 25AA Agriculture and Markets Law (AML) established a process by which county legislative bodies may create, review, modify consolidate or terminate Agricultural Districts through the State, which the Commissioner of AGM then certifies; and

WHEREAS, pursuant to Resolution No. 150-22, Chautauqua County is authorized to conduct a coordinated review for purposes of conducting State Environmental Quality Review (SEQR) for actions taken under the Agricultural District Law, and the use of the short environmental assessment form for agricultural districts; and

WHEREAS, pursuant to Title 6 of New York Code of Rules and Regulations, Part 617 of the implementing regulations pertaining to the New York State Environmental Quality Review Act of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying Chautauqua County's agricultural district boundaries; and

WHEREAS, the modification of an agricultural district's boundaries is considered an unlisted action and as such the criteria of 6 NYCRR §617.7 must be used to determine the degree of environmental impact; and

WHEREAS, the Chautauqua County Department of Planning and Development has prepared a short Environmental Assessment Form (EAF) for agricultural districts for consideration by the Chautauqua County Legislature, with said EAF indicating that the probability of any adverse impact of proposed modifications to the agricultural districts is very low; and

WHEREAS, the Chautauqua County Legislature has reviewed the EAF and supporting documentation, copies of which are attached; now therefore be it

RESOLVED, That the Chautauqua County Legislature has determined that the modification of the agricultural district boundaries in Chautauqua County Agricultural Districts No. 1 and 7 will not have a significant adverse impact, and the County Executive is hereby authorized to execute a "Negative Declaration" for the proposed action.

Signed: Harmon, Larson, Dickey

RES. NO. 141-25
Determination of Chautauqua County Legislature on
Proposed 2025 Agricultural District Inclusions

By Planning & Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts 1, 7, 8, and 10; and

WHEREAS, Article 25AA section 303-b of the New York State Agriculture and Markets Law authorizes the inclusion of viable agricultural lands into an existing agricultural district within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, pursuant to Resolution No. 280-03 the Chautauqua County Legislature designated January 2nd through January 31st as Chautauqua County’s annual period for landowners to submit a request for inclusion of their land in a State-certified Agricultural District; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-b, an inclusion of viable agricultural land in Chautauqua County’s agricultural districts is being conducted in 2025, and a Public Notice to accept proposals for inclusions to the districts was posted and distributed in accordance with the procedures set forth therein; and

WHEREAS, the Chautauqua County Agricultural and Farmland Protection Board reviewed the submitted proposals on February 19, 2025, found that the below parcels of land proposed to be included in the Agricultural Districts consist predominantly of “viable agricultural land” as defined in Article 25AA section 301(7) and that inclusion of the land would serve the public interest by assisting in maintaining a viable agricultural industry within the district, and voted to recommend that the Legislature accept the proposed inclusion parcels listed below into an existing agricultural district:

Ag. District	Parcel #	Landowner	Acres
7	330.00-2-12.1	Gleason, M. & T	34.7
1	113.09-2-5.1	Maggitti, A. (MWP Enterprises, LLC)	11.5
1	113.09-2-3.1	Maggitti, A. (MWP Enterprises, LLC)	0.4
1	113.09-2-1	Maggitti, A. (MWP Enterprises, LLC)	3.6
1	113.05-1-47	Maggitti, A.	0.5
1	95.02-1-2	Urbanik, R. & B.	61.8

; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act (SEQR) have been considered and processes have been completed by Chautauqua County; and

WHEREAS, pursuant to Resolution No. 96-25, the Chautauqua County Legislature held the required public hearing on April 23, 2025, in order to gather input from landowners in the districts; now therefore be it

RESOLVED, That is it the determination of the Chautauqua County Legislature to modify Chautauqua County Agricultural Districts No. 1 and 7, in accordance with the recommendations of the Chautauqua County Agricultural and Farmland Protection Board and input gathered from the public hearing; and it is further

RESOLVED, That the Clerk of the County Legislature be and hereby is directed to file this resolution, the Chautauqua County Agricultural and Farmland Protection Board recommendation,

and tax maps with the tax map identification numbers for each parcel, and all things necessary to be filed with the Commissioner of Agriculture and Markets for final certification.
Signed: Harmon, Larson, Dickey, Penhollow

RES. NO. 142-25
Accept State Environmental Quality Review (SEQR) Determinations for the
New York State Snowmobile Trail Grant-in-Aid Program
for 2025-2026 Snowmobile Season

By Planning & Economic Development Committee:

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

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservation’s New York State Snowmobile Trails Grant-in-Aid Program (hereinafter called “Program”); and

WHEREAS, a State Environmental Quality Review (hereinafter called “SEQR”) is required for modifications to and/or expansions of the existing snowmobile trail system; and

WHEREAS, pursuant to Resolution 112-25, the Chautauqua County Legislature designated Chautauqua County as the lead agency responsible for SEQR for State-funded snowmobile trail modifications and/or expansions for the 2025-2026 Program year, and as lead agency the County must evaluate the environmental impacts of any modifications and/or expansions; and

WHEREAS, the following trails include proposed Program modifications and/or expansions affecting a new landowner, not previously affected by the existing State-funded snowmobile trails:

Trail	Snowmobile Club	Municipality	Proposed Program Modification/Expansion
C1	Cherry Creek Sno-Goers, Inc.	Hanover	Trail moved east of the existing trail near Route 5 and 20, at the request of a landowner
C1A	Cherry Creek Sno-Goers, Inc.	Hanover, Villenova	Trail moved west of the existing trail between Hurlbert Road and Prospect Road and north of the existing trail as it crosses Empire Road and heads towards Route 39, both at the request of landowners
C4	Cherry Creek Sno-Goers, Inc.	Arkwright	Trail moved southwest of the existing trail at the Rood Road crossing, at the request of a landowner
S11	Cherry Creek Sno-Goers, Inc.	Hanover, Sheridan	Trail moved east of the existing trail on the west end of the trail near Route 20 and the trail moved north of the existing trail on the east end of the trail near the intersection of King Road and Gibbs Road, both at the request of landowners
S11A* addition	Cherry Creek Sno-Goers, Inc.	Hanover	Extends existing trail through the Hamlet of Forestville, currently an unfunded trail

CHAUTAUQUA COUNTY LEGISLATURE

04/23/2025

S12	Cherry Creek Sno-Goers, Inc.	Cherry Creek	Trail moved north of the existing trail between Route 68 and Davison/Kent Roads, at the request of a landowner
S14	Cherry Creek Sno-Goers, Inc.	Hanover	Trail moved south of existing trail near Alleghany Road, at the request of a landowner
S19	Cherry Creek Sno-Goers, Inc.	Charlotte	Trail moved south of the existing trail down to Mill Creek Road, utilizing an unfunded trail
S19A*	Cherry Creek Sno-Goers, Inc.	Charlotte	Currently an unfunded trail between C1 and S19 along Lewis Road
C1D	Lake Effect Trail Breakers, Inc.	Ellicott, Ellington, Gerry	Trail moved north of the existing trail near Gerry Levant Road and Route 60, at the request of a landowner
S13* addition	Lake Effect Trail Breakers, Inc.	Poland	Extends existing trail to Randolph in Cattaraugus County near Grubb Hill Road, currently an unfunded trail
S17	Lake Effect Trail Breakers, Inc.	Ellington	Trail moved south of the existing trail near Wade Hill Road, at the request of a landowner
S18A*	Lake Effect Trail Breakers, Inc.	Ellington, Gerry	Currently an unfunded trail between C1D and S18 in Harris Hill State Forest
S18B*	Lake Effect Trail Breakers, Inc.	Charlotte	Currently an unfunded trail between S18 and S18C near between Edson Road and Nobles Road
TBA – Conti*	Lake Effect Trail Breakers, Inc.	Poland	Currently an unfunded trail between C1 and Conti’s near Dailey Hill, Cobb, and Wheelock Roads and Route 86
TBA – Country Fair*	Lake Effect Trail Breakers, Inc.	Gerry	Currently an unfunded trail between C1D and Gerry Country Fair near Gerry Levant Road and Route 60
TBA – Ellington Rod & Gun*	Lake Effect Trail Breakers, Inc.	Ellington	Currently an unfunded trail between C1 and the Ellington Rod & Gun between Hagerdon Road and Harris Hollow Road
TBA – Grandview*	Lake Effect Trail Breakers, Inc.	Ellington	Currently an unfunded trail between C1 and the Grandview of Ellington between Harris Hollow Road and West Hill

*trail expansions
; and

WHEREAS, as the local sponsor and involved agency, the Chautauqua County Department of Planning and Development (hereinafter called “CCDPD”) determined that each of the eighteen (18) proposed Program modifications and/or expansions should be classified as an Unlisted Action for purposes of Title 6 of New York Code of Rules and Regulations, Part 617.7 of the implementing regulations pertaining to the New York State Environmental Quality Review Act of the Environmental Conservation Law; and

CHAUTAUQUA COUNTY LEGISLATURE

04/23/2025

WHEREAS, CCDPD prepared Part 1 Short Environmental Assessment Forms (hereinafter called "SEAF") for each of the modifications and/or expansions, sent a Lead Agency notice to each of the affected municipalities, and requested that any information or concerns be sent to CCDPD within thirty (30) days;

WHEREAS, CCDPD did not receive any comments from the affected municipalities and completed Parts 2 and 3 of the SEAF for each of the proposed Program modifications and/or expansions, for consideration by the Chautauqua County Legislature, with said SEAFs indicating that the probability of any adverse impact of the proposed Program modifications and/or expansions to the existing snowmobile trail system is very low; and

WHEREAS, the Chautauqua County Legislature has reviewed the SEAFs and supporting documentations; now therefore it be

RESOLVED, That the Chautauqua County Legislature has determined that the proposed Program modifications and/or expansions to the existing snowmobile trail system will not have a significant adverse impact, and the County Executive is hereby authorized to execute a "Negative Declaration" for the proposed actions.

Signed: Harmon, Larson, Dickey, Penhollow

RES. NO. 143-25

A Resolution Authorizing \$1,612,000 Bonds of the County of Chautauqua, New York, to pay the Cost of the Increase and Improvement of the Portland Pomfret Dunkirk Sewer District in and for said County

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the County Legislature of the County of Chautauqua, New York, has heretofore, pursuant to Section 268 of the County Law, found it to be in the public interest to increase and improve the facilities of the Portland Pomfret Dunkirk Sewer District in said County, as more fully described in Section 1 of this resolution; and

WHEREAS, the State Comptroller has approved said increase and improvement of facilities on December 3, 2024; and

WHEREAS, the project described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; and

WHEREAS, it is now desired to provide for the financing of such increase and improvement pursuant to the Local Finance Law; now therefore be it

RESOLVED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The increase and improvement of the facilities of the Portland Pomfret Dunkirk Sewer District in the County of Chautauqua, New York, consisting of the reconstruction of sewer mains and pump stations, including manholes and meter vault replacement, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$1,612,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$1,612,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, and the imposition of user charge water rates therein, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Director of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said County, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Director of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Director of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 9. The Director of Finance is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion

thereof, by a bond or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Director of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Director of Finance consistent with the provisions of the Local Finance Law.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper(s) of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law, and upon adoption shall supersede Resolution No. 203-22, bond resolution dated and duly adopted August 25, 2022.

Signed: Heiser, Pavlock, Scudder, Anthony, Dickey

RES. NO. 144-25

A Resolution Authorizing \$5,480,000 Bonds of the County of Chautauqua, New York, to pay the cost of the Increase and Improvement of the North Chautauqua Lake Sewer District in and for said County

By Public Facilities and Audit & Control Committees:

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

WHEREAS, the County Legislature of the County of Chautauqua, New York, has heretofore, pursuant to Section 268 of the County Law, found it to be in the public interest to increase and improve the facilities the of North Chautauqua Lake Sewer District in said County, as more fully described in Section 1 of this resolution; and

WHEREAS, the State Comptroller has approved said increase and improvement of facilities on March 5, 2025; and

WHEREAS, the project described herein has been determined to constitute a Type II Action as defined under regulations of the State of New York promulgated pursuant to the State Environmental Quality Review Act which, by such definition, will not have a significant adverse impact upon the environment; and

WHEREAS, it is now desired to provide for the financing of such increase and improvement pursuant to the Local Finance Law; now therefore be it

CHAUTAUQUA COUNTY LEGISLATURE

04/23/2025

RESOLVED, by the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The increase and improvement of the facilities of the North Chautauqua Lake Sewer District in the County of Chautauqua, New York, consisting of the reconstruction of sewer mains and pump stations, including manholes, together with original furnishings, equipment, machinery, apparatus, appurtenances, and incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$5,480,000.

Section 2. The plan for the financing of such maximum estimated cost is by the issuance of \$5,480,000 bonds of said County hereby authorized to be issued therefor pursuant to the provisions of the Local Finance Law.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 4. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purpose is forty years, pursuant to subdivision 4 of paragraph a of Section 11.00 of the Local Finance Law.

Section 5. The faith and credit of said County of Chautauqua, New York, are hereby irrevocably pledged for the payment of the principal of and interest on such bonds as the same respectively become due and payable. There shall be annually apportioned and assessed upon the several lots and parcels of land within said District, in the manner provided by law, and the imposition of user charge water rates therein, an amount sufficient to pay the principal and interest on said bonds as the same become due, but if not paid from such source, all the taxable real property in said County shall be subject to the levy of ad valorem taxes, sufficient to pay the principal of and interest on said bonds as the same shall become due.

Section 6. Subject to the provisions of the Local Finance Law, the power to authorize the issuance of and to sell bond anticipation notes in anticipation of the issuance and sale of the bonds herein authorized, including renewals of such notes, is hereby delegated to the Director of Finance, the chief fiscal officer. Such notes shall be of such terms, form and contents, and shall be sold in such manner, as may be prescribed by said Director of Finance, consistent with the provisions of the Local Finance Law.

Section 7. The powers and duties of advertising such bonds for sale, conducting the sale and awarding the bonds, are hereby delegated to the Director of Finance, who shall advertise such bonds for sale, conduct the sale, and award the bonds in such manner as she shall deem best for the interests of said County, including, but not limited to, the power to sell said bonds to the New York State Environmental Facilities Corporation; provided, however, that in the exercise of these delegated powers, the Director of Finance shall comply fully with the provisions of the Local Finance Law and any order or rule of the State Comptroller applicable to the sale of municipal bonds. The receipt of the Director of Finance shall be a full acquittance to the purchaser of such bonds, who shall not be obliged to see to the application of the purchase money.

Section 8. All other matters except as provided herein relating to the bonds herein authorized including the date, denominations, maturities and interest payment dates, within the limitations prescribed herein and the manner of execution of the same, including the consolidation with other issues, and also the ability to issue bonds with substantially level or declining annual debt service, shall be determined by the Director of Finance, the chief fiscal officer of such County. Such bonds shall contain substantially the recital of validity clause provided for in Section 52.00 of the Local Finance Law, and shall otherwise be in such form and

contain such recitals, in addition to those required by Section 51.00 of the Local Finance Law, as the Director of Finance shall determine consistent with the provisions of the Local Finance Law.

Section 9. The Director of Finance is hereby further authorized, at her sole discretion, to execute a project finance and/or loan agreement, and any other agreements with the New York State Environmental Facilities Corporation, including amendments thereto, and including any instruments (or amendments thereto) in the effectuation thereof, in order to effect the financing or refinancing of the object or purpose described in Section 1 hereof, or a portion thereof, by a bond or note issue of said County in the event of the sale of same to the New York State Environmental Facilities Corporation.

Section 10. The power to issue and sell notes to the New York State Environmental Facilities Corporation pursuant to Section 169.00 of the Local Finance Law is hereby delegated to the Director of Finance. Such notes shall be of such terms, form and contents as may be prescribed by said Director of Finance consistent with the provisions of the Local Finance Law.

Section 11. The validity of such bonds and bond anticipation notes may be contested only if:

- 1) Such obligations are authorized for an object or purpose for which said County is not authorized to expend money, or
- 2) The provisions of law which should be complied with at the date of publication of this resolution are not substantially complied with, and an action, suit or proceeding contesting such validity is commenced within twenty days after the date of such publication, or
- 3) Such obligations are authorized in violation of the provisions of the Constitution.

Section 12. This resolution shall constitute a statement of official intent for purposes of Treasury Regulations Section 1.150-2. Other than as specified in this resolution, no monies are, or are reasonably expected to be, reserved, allocated on a long-term basis, or otherwise set aside with respect to the permanent funding of the object or purpose described herein.

Section 13. This resolution, which takes effect immediately, shall be published in summary form in the official newspaper(s) of such County, together with a notice of the Clerk of the County Legislature in substantially the form provided in Section 81.00 of the Local Finance Law, and upon adoption shall supersede Resolution No. 183-23, bond resolution dated and duly adopted June 28, 2023.

Signed: Heiser, Pavlock, Scudder, Anthony, Dickey

RES. NO. 145-25
Setting the Salary for Chief Paramedic

By Administrative Services, Public Safety & Audit & Control Committees:

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

WHEREAS, the Department of Emergency Services Director has requested that the salary be set for a new position involving responsibilities for the administrative support and direct supervision of all functions of the Department of Emergency Services; and

WHEREAS, this position will function as a liaison between the department and the community, as well as between the Director of Emergency Services and Workplace Safety and department staff; and

CHAUTAUQUA COUNTY LEGISLATURE
04/23/2025

WHEREAS, the incumbent is a working supervisor who is also responsible for administering primary emergency medical care, as needed; and

WHEREAS, the work is performed under the general supervision of the Director with considerable leeway for the exercise of independent judgement in carrying out the tasks of treatment and patient care, and the direction and assignment of subordinate personnel; and

WHEREAS, the Human Resources Department has classified the position as Chief Paramedic and supports the request that the salary be set at Grade 20; now therefore, be it

RESOLVED, That the title of Chief Paramedic be added to the Chautauqua County CSEA Unit 6300 Salary Plan at Grade 20.

Grade 20 2025: (\$30.51 - \$40.26) per hour

Signed: Scudder, Vanstrom, Pavlock, Niebel, Heiser, Anthony, Landy, Proctor, Dickey

RES. NO. 146-25
Setting the Salary for Discovery Facilitator

By Administrative Services, Public Safety and Audit & Control Committees:

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

WHEREAS, the Chautauqua County District Attorney has requested that the salary be set for a new position involving highly specialized, skilled, and administrative position primarily responsible for the initial collection, review, preparation, and distribution of a variety of information necessary to comply with the Criminal Justice Reforms discovery process for all legal cases handled by the Chautauqua County District Attorney's office; and

WHEREAS, the incumbent's work will be performed under the supervision of the appointed authority or other higher-level employee permitting wide latitude in the exercise of independent judgment in many assignments; and

WHEREAS, the Human Resources Department has classified the position as Discovery Facilitator and supports the request that the salary be set at Grade 18; now therefore, be it

RESOLVED, That the title of Discovery Facilitator be added to the Chautauqua County CSEA Unit 6300 Salary Plan at Grade 18.

Grade 18 2025: (\$28.50 - \$37.44) per hour

Signed: Scudder, Pavlock, Niebel, Heiser, Vanstrom, Anthony, Landy, Proctor, Dickey