

Chautauqua County Legislature

6:30 P.M.

**CALL TO ORDER
ROLL CALL
PRAYER BY LEGISLATOR O'CONNELL
PLEDGE OF ALLEGIANCE
APPROVAL OF THE MINUTES FOR 3/27/19
PRIVILEGE OF THE FLOOR**

(Members of the public may speak on any subject relating to any local law, resolution, or motion appearing on the agenda.

An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO
NO VETOES FROM 3/27/19**

COMMENDATIONS:

**DUNKIRK MARAUDER BOWLING TEAM
STATE CHAMPIONSHIP**

By

**Legislator Kevin Muldowney
Legislator Robert Bankoski**

6:35 P.M.

PUBLIC HEARINGS

**REGARDING A POTENTIAL APPLICATION FOR 2019 COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE NEW YORK
STATE HOMES AND COMMUNITY RENEWAL HOUSING TRUST FUND
CORPORATION'S OFFICE OF COMMUNITY RENEWAL AND THE USES OF
SAID FUNDING**

6:35 P.M.

**REGARDING A POTENTIAL APPLICATION FOR 2019 COMMUNITY
DEVELOPMENT BLOCK GRANT FUNDING THROUGH THE NEW YORK
STATE OFFICE OF COMMUNITY RENEWAL AND THE USES OF SAID
FUNDING**

CHAUTAUQUA COUNTY LEGISLATURE

04/24/19

COMMUNICATIONS:

- 1. Letter – Appointment to Cornell Cooperative Extension Board**
 - 2. Letter – District Attorney - Re: Succession of Powers and Duties within DA's Office in event of Vacancy or Absence**
 - 3. Letters(2) – District Attorney – Oath of Office**
 - 4. Report – Fn. Director Crow – Investment Report – February 2019**
 - 5. Report - Chautauqua County Land Bank Corporation – Annual Report**
 - 6. Certificate to fill Vacancy on County Legislature – District 18**
 - 7. Certificate of Acceptance to Fill Vacancy – Martin J. Proctor**
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RESOLUTIONS:

- 102-19 Confirm Appointment - Norman P. Green (D) Commissioner of Elections**
- 103-19 Confirm Re-Appointment - Portland-Pomfret-Dunkirk Sewer District Board**
- 104-19 Confirm Re-Appointments - Chautauqua County Youth Board**
- 105-19 Authorize Supplemental Agreement No. 3 with NYSDOT for PIN 5758.45**
- 106-19 Amend 2019 Budget Appropriations and Revenues – Capital Improvements, Funded Bridges & Road (D Fund)**
- 107-19 Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5762.26, Dale Drive Shoulder Expansion**
- 108-19 Abolish Petty Cash Funds That Are No Longer Needed**
- 109-19 Amend 2019 Budget Appropriations–Vehicle Purchase Allocations**
- 110-19 Amend 2019 Budget Appropriations–Depreciation Expenses for Enterprise Funds**
- 111-19 Amend 2018 Budget for Year End Reconciliations – Information Technologies and Communications System**
- 112-19 Authorize Extension of Grant Funding for Help America Vote Act (HAVA) SHOEBOX Grant**
- 113-19 Authorize Extension of Voter Education/Poll Worker Training and the New York State Poll Site Access Improvement Grant**
- 114-19 Authorize Memorandum of Understanding with Cattaraugus County Sheriff's Office**
- 115-19 Amend 2018 & 2019 Budgets for Grant Equipment Revenue – Office of the Sheriff, Public Safety Communications Network**
- 116-19 Amend Chautauqua County Health & Human Services 2019 Budget for Rollover of Public Health Emergency Preparedness Program Opioid Crisis Funding**
- 117-19 Amend 2019 Budget for Equipment Purchases for Environmental Health Childhood Lead Poisoning Primary Prevention Program**
- 118-19 Authorize Grant Application for 2019 Community Development Block Grant Funding through the New York State Office of Community Renewal**
- 119-19 Establishment of a Chautauqua County Food Policy Council**
- 120-19 Town of Busti Stormwater Project - Confirm Prior Match Commitment**

CHAUTAUQUA COUNTY LEGISLATURE
04/24/19

121-19 Amend 2018 Budget for Year End Reconciliations – Final Adjustments

ANNOUNCEMENTS

PRIVILEGE OF THE FLOOR

(A member of the Legislature or the public may speak on any subject.
An individual is limited to 3 minutes and a person representing a group shall be limited to 5 minutes)

CHAUTAUQUA COUNTY LEGISLATURE

04/24/19

RES. NO. 102-19

Confirm Appointment – Norman P. Green (D) Commissioner of Elections

At the Request of Legislators Nazzaro, Bankoski, O’Connell, Starks, and Whitford:

WHEREAS, there is a vacancy in the position of the Democratic Commissioner of Elections for the current term of office that expires December 31, 2020; and

WHEREAS, a Certificate of Appointment signed by the County Democratic Chairman, Norman P. Green, duly filed with the Clerk of the County Legislature pursuant to the New York State Election Law, states that a majority of such party Committee recommends the appointment of Norman P. Green to fill the vacancy in the position of Democratic Commissioner of Elections for the remainder of the current term of office that expires December 31, 2020; therefore be it

RESOLVED, That Norman P. Green be and hereby is appointed Democratic Commissioner of Elections for the County of Chautauqua for the remainder of the current term of office that expires December 31, 2020, at the salary provided in Local Law 3-98 increased in conformity with the increases provided for County Managers under the Management Salary Plan.

Signed: Nazzaro, Bankoski, O’Connell, Starks, Whitford

RES. NO. 103-19

Confirm Re-Appointment – Portland-Pomfret-Dunkirk Sewer District Board

By Public Facilities Committee:

At the Request of Chairman Paul M. Wendel:

WHEREAS, the Portland-Pomfret-Dunkirk Sewer District was established as a county sewer district of the County of Chautauqua by Resolution 272-77; and

WHEREAS, pursuant to County Law § 261 and Resolution 345-77 the District is governed by a seven-member Board of Directors, who serve for terms of six years; and

WHEREAS, the Board of Directors of the Portland-Pomfret-Dunkirk Sewer District has recommended the reappointment of two board members whose terms expired on December 31, 2018; therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following re-appointments to the Portland-Pomfret-Dunkirk Sewer District Board:

Richard Purol
10940 South Roberts Road
Dunkirk, N.Y. 14048

Term Expires: 12/31/2024

Signed: Wilfong, Nazzaro, Scudder, Gould

Daniel E Larish
10148 Patterson Lane
Dunkirk, N.Y. 14063

Term Expires: 12/31/2024

RES. NO. 104-19
Confirm Re-Appointments - Chautauqua County Youth Board

By Human Services Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, County Executive George M. Borrello, has submitted the following re-appointments for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointments to the Chautauqua County Youth Board.

Kayleah Feser
232 King Street
Dunkirk, NY 14048

Term Expires: 12/31/20

Signed: Wilfong, O'Connell, Pavlock, Whitford

Rachel Mesmer Ludwig

5128 Spring Street

Ashville, NY 14701

Term Expires: 12/31/20

RES. NO. 105-19
Authorize Supplemental Agreement No. 3 with NYSDOT for PIN 5758.45

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Resolution 23-18 authorized Supplemental Agreement No. 2 for PIN 5758.45 (the Project) for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such program to be borne at the ratio of 80% Federal Funds and 20% non-federal funds; and committed \$204,350 to cover 100% of the Project's Preliminary Engineering Design I-VI and Right of Way Incidentals and Acquisition phases; and

WHEREAS, the Project's Preliminary Engineering Design I-VI and Right of Way Incidentals and Acquisition phases are currently estimated to be \$279,350; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of Pin 5758.45 for the above Phases; and

WHEREAS, the local share for the above phases was calculated to be \$10,217.50 and the total local share is now calculated to be \$25,217.50 and can be covered with existing funding in account D.5112.390; now therefore be it

RESOLVED, that the County Legislature of the County of Chautauqua hereby approves the advancement of the Project; and be it further

RESOLVED, That in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the Project's Phases exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary Agreements, certifications and/or reimbursement requests for

Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Municipality's first instance funding of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

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

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.389.4 Contractual – Capital Improvements, Bridge Programs (Funded) \$75,000

DECREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4 Contractual – Capital Improvements, County Bridge Program \$15,000

INCREASE CAPITAL REVENUE ACCOUNT:

D.5112.389.R458.9002 Federal Aid: Surface Transp Program \$60,000
Signed: Wilfong, Nazzaro, Scudder, Gould, Chagnon, Niebel, Muldowney

RES. NO. 106-19

Amend 2019 Budget Appropriations and Revenues – Capital Improvements, Funded Bridges & Road (D Fund)

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolution No. 98-19, accounting changes were adopted to more closely monitor revenues and expenditures for funded capital improvements in the county bridge and road programs, and a new sub-department was established for capital improvements to bridges funded in part by specific awards; and

WHEREAS, it would be advantageous to establish a similar sub-department for capital improvements to roads funded in part by specific awards; and

WHEREAS, New York State CHIPS funds are expected to be received as reimbursements for work on county bridge and road projects; and

WHEREAS, some projects in progress at the end of 2018 have remaining budgets for revenues and appropriations, and these budgets need to be carried forward into 2019; now therefore be it

RESOLVED, That the Director of Finance establish the following revenue accounts and expenditure classification to be used for existing and future capital improvements to county roads that are funded by specific awards:

D.5112.393.R358.9003	New York State Aid-Marchiselli Funds
D.5112.393.R359.7000	New York State Aid-Transp Capital
D.5112.393.R458.9002	Federal Aid-Surface Transp Program
D.5112.393.R459.7000	Federal Aid-Transp Capital
D.5112.393.R503.1000	Interfund Transfers-Interfund Transfer
D.5112.393.4	Contractual-Capital Improvements, Funded Road Program

; and be it further

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

INCREASE THE USE OF FUND BALANCE:

D.----.----.915.0000	Unassigned Fund Balance—Assigned/Unappropriated	
	Fund Balance	\$ 57,273

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 budget:

INCREASE APPROPRIATION ACCOUNT:

D.5112.389.4	Contractual-Capital Improvements, Funded Bridge Program	\$ 940,639
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INCREASE REVENUE ACCOUNTS:

D.5112.389.R358.9003	New York State Aid-Marchiselli Funds	\$ 103,729
D.5112.389.R359.7000	New York State Aid-Transp Capital	\$ 12,835
D.5112.389.R458.9002	Federal Aid-Surface Transp Program	\$ 766,802
D.5112.390.R350.1000	New York State Aid-NYS Aid CHIPS	
	\$1,081,360	
D.5112.391.R350.1000	New York State Aid-NYS Aid CHIPS	
	<u>\$2,653,670</u>	
	Total	\$4,618,396

DECREASE REVENUE ACCOUNT:

D.5112.----.R350.1000	New York State Aid-NYS Aid CHIPS	\$3,735,030
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Signed: Wilfong, Nazzaro, Scudder, Gould, Chagnon, Niebel, Muldowney

RES. NO. 107-19

Authorize Agreement with NY State DOT for Performance of Federal-Aid Project PIN 5762.26,
Dale Drive Shoulder Expansion

By Public Facilities and Audit & Control:

At the Request of County Executive George M. Borrello:

WHEREAS, the Dale Drive Shoulder Expansion, Transportation Alternative Program project, PIN 5762.26 (the "Project"), will improve pedestrian and bicycle travel along County Road 48 (Dale Drive) in the Village of Cassadaga, Chautauqua County; and

WHEREAS, the Project is eligible for funding under Title 23 U.S. Code, as amended, that calls for the apportionment of the costs of such Project to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, Resolution No. 164-17 authorized the Department of Public Facilities to proceed with the Project, and Resolution No. 203-17 approved funding for the Preliminary Engineering (Design I-IV) phase of the Project PIN 5762.26; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the Non-Federal share of the costs of the Preliminary Engineering (Design I-IV) and Construction/Construction Inspection phases of the project PIN 5762.26; and

WHEREAS, the Preliminary Engineering (Design I-IV) and Construction/Construction Inspection phases of the Project PIN 5762.26 are estimated to be \$735,000; and

WHEREAS, it would be appropriate to establish the budget for the all phases of the Project in the sub-department in the County Road Fund (the D Fund) for roads funded in part by specific awards; and

WHEREAS, it would be appropriate to move all budgets from the original capital project H.1440.25996 (Dale Dr Shoulder Wide (2017)) to the D Fund and close capital project H.1440.25996; now therefore be it

RESOLVED, That the Legislature of the County of Chautauqua hereby approves the above-subject project; and it is further

RESOLVED, That the Legislature of the County of Chautauqua hereby authorizes the County of Chautauqua to pay in the first instance 100% of the Federal and Non-Federal shares of the cost of the Preliminary Engineering (Design I-IV) and Construction/Construction Inspection phases of the Project or portions thereof; and it is further

RESOLVED, That in the event the amount required to pay the full Federal and Non-Federal shares of the cost of the Project's Preliminary Engineering (Design I-IV) and Construction/Construction Inspection phases exceeds the amount appropriated above, the County of Chautauqua shall convene its Legislature as soon as possible to appropriate said excess amount immediately upon the notification by the New York State Department of Transportation thereof; and it is further

RESOLVED, That the County Executive of the County of Chautauqua be and is hereby authorized to execute all necessary agreements, certifications, or reimbursement requests for Federal Aid on behalf of the County of Chautauqua with the New York State Department of Transportation in connection with the advancement or approval of Project costs and permanent funding of the local share of Federal-Aid eligible Project costs and all Project costs within appropriations therefore that are not eligible; and it is further

RESOLVED, That a certified copy of this Resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary agreement in connection with the Project; and it is further

RESOLVED, That this Resolution shall take effect immediately; and it is further

RESOLVED, That the Reserve for Capital is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----878.0000	Reserved Fund Balance--Reserve for Capital	\$121,000
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; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2019 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

D.5112.393.4	Contractual - Capital Improvements, Funded Road Program	\$735,000
A.9950.-----9	Interfund Transfers - Transfer to Capital	<u>\$121,000</u>
	Total	\$856,000

DECREASE APPROPRIATION ACCOUNT:

H.1440.25996.4	Contractual - Engineers, Dale Dr Shoulder Wide (2017)	\$130,000
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INCREASE REVENUE ACCOUNTS:

D.5112.393.R459.7000	Federal Aid-Transp Capital	\$588,000
D.5112.393.R503.1000	Interfund Transfers-Interfund Transfer	<u>\$147,000</u>
	Total	\$735,000

DECREASE REVENUE ACCOUNTS:

H.1440.25996.R459.7000	Federal Aid-Transp Capital	\$104,000
H.1440.25996.R503.1000	Interfund Transfers-Interfund Transfer	<u>\$26,000</u>
	Total	\$130,000

Signed: Wilfong, Nazzaro, Scudder, Gould, Chagnon, Niebel, Muldowney

RES. NO. 108-19
Abolish Petty Cash Funds That Are No Longer Needed

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

At the request of County Executive George M. Borrello:

WHEREAS, Resolution No. 284-73 established a revolving petty cash fund in the amount of \$100.00 to be used by the Chautauqua County Airport Manager; and

WHEREAS, Resolution No. 102-54 established a revolving petty cash fund in the amount of \$150.00 to be used by the County Highway Department; and Resolution No. 164-87 increased the Department of Public Works petty cash fund by \$50.00 to \$200.00; and Resolution No. 9-17 decreased the Department of Public Facilities petty cash fund by \$100.00 to \$100.00; and

WHEREAS, Resolution No. 192-87 established a revolving petty cash fund in the amount of \$150.00 to be used by the STOP-DWI Program; and

WHEREAS, Resolution No. 89-56 established a revolving petty cash fund in the amount of \$200.00 to be used by the Sheriff's Department; and Resolution No. 85-99 increased the Office of the Sheriff's Fiscal Management Unit's petty cash fund by \$50.00 to \$250.00; and

WHEREAS, Resolution No. 134-04 established a revolving petty cash fund in the amount of \$200.00 to be used by the Victim Impact Panel; and Resolution No. 60-13 increased the Victim Impact Panel petty cash fund by \$100.00 to \$300.00; and Resolution No. 132-14 increased the Victim Impact Panel petty cash fund by \$150.00 to \$450.00; and

WHEREAS, the petty cash funds established by Resolution Nos. 284-73, 102-54, and 192-87 are no longer necessary; and

WHEREAS, the petty cash fund for the Victim Impact Panel does not need to be a separate fund and can be combined with the petty cash fund for the Office of the Sheriff's Fiscal Management Unit; therefore be it

RESOLVED, That the petty cash funds established by Resolution Nos. 284-73, 102-54, 192-87, and 134-04 are hereby abolished; and be it further

RESOLVED, That the amount of the Office of the Sheriff's Fiscal Management Unit's petty cash fund is hereby increased by \$450.00 to a total amount of \$700.00; and be it further

RESOLVED, That the Director of Finance is hereby directed to make any and all necessary accounting adjustments to establish these changes.

Signed: Wilfong, Nazzaro, Scudder, Gould, Niebel, Whitford, Pavlock, Chagnon, Muldowney

RES. NO. 109-19
Amend 2019 Budget Appropriations–Vehicle Purchase Allocations

By Public Facilities, Public Safety, Human Services, and Audit & Control Committees:
At the request of County Executive George M. Borrello:

WHEREAS, the purchases of light duty vehicles approved in the capital budget are typically expensed over four years as vehicle purchase allocations in the operating budget; and

WHEREAS, the 2019 budgets for vehicle purchase allocations were based on anticipated purchase prices of vehicles; and

WHEREAS, some actual vehicle purchase prices were more or less than anticipated so the vehicle allocation expenses have changed; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1620.----.4	Contractual—Buildings & Grounds	\$1,625
A.6010.----.4	Contractual - Social Services Admin	\$586
A.3110.----.4	Contractual - Sheriff	<u>\$16,111</u>
		<u>\$18,322</u>
	Total	\$16,697

DECREASE APPROPRIATION ACCOUNTS:

A.5610.5610.4	Contractual - Chautauqua County Airport, Jamestown Airport	\$1,357
A.7110.----.4	Contractual—Parks	\$1,625
A.3010.----.4	Contractual - Emergency Services	\$8,778
A.3150.----.4	Contractual - Jail	<u>\$6,562</u>
		<u>\$18,322</u>
	Total	\$16,697

Signed: Wilfong, Nazzaro, Scudder, Gould, Niebel, Pavlock, Whitford, O’Connell, Chagnon, Muldowney (*Amended in PS- strikethrough indicates removed text*)

RES. NO. 110-19

Amend 2019 Budget Appropriations--Depreciation Expenses for Enterprise Funds

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the 2019 budgets for depreciation expenses for enterprise funds are based on the value of assets in use at the end of 2017; and

WHEREAS, the value of some assets has changed and some additional assets were acquired or constructed and put in use during 2018; therefore be it

RESOLVED, That enterprise fund balances are appropriated as follows:

INCREASE THE USE OF FUND BALANCES:

EL.----.----.924.0000	Unassigned Fund Balance--Net Assets-Unrestricted (Deficit)	\$97,535
ESS.----.----.924.0000	Unassigned Fund Balance--Net Assets-Unrestricted (Deficit)	\$18,009
ESN.----.----.924.0000	Unassigned Fund Balance--Net Assets-Unrestricted (Deficit)	\$111,159
ESP.----.----.924.0000	Unassigned Fund Balance--Net Assets-Unrestricted (Deficit)	\$1,079
EW.----.----.924.0000	Unassigned Fund Balance--Net Assets-Unrestricted (Deficit)	<u>\$4,146</u>
	Total	\$231,928

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 budget:

INCREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.4	Contractual - Environment, Landfill	\$97,535
ESS.8120.----.4	Contractual - Sanitary Sewers	\$19,605
ESN.8120.8122.4	Contractual - Sanitary Sewers, Sanitary Sewers	\$2,763
ESN.8130.8132.4	Contractual - Sewage Treatment, Sewage Treatment	\$108,396
ESP.8120.8124.4	Contractual - Sanitary Sewers, Sanitary Sewers	\$1,079
EW.8310.----.4	Contractual - Water District	<u>\$4,146</u>
	Total	\$233,524

DECREASE APPROPRIATION ACCOUNT:

ESS.8130.----.4	Contractual - Sewage Treatment	\$1,596
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Signed: Wilfong, Nazzaro, Scudder, Gould, Chagnon, Muldowney, Niebel

RES. NO. 111-19
Amend 2018 Budget for Year End Reconciliations – Information Technologies and
Communications System

By Administrative Services and Audit & Control Committees:
At the Request of County Executive George M. Borrello:

WHEREAS, some expenditures associated with capital project H.1680.636 (Telephone System Upgrade (2006)) were budgeted in 2018 as operating expenses and should be appropriately classified as capital expenditures; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfers - Transfer to Capital Contractual - Information Technology,	\$61,155
H.1680.636.4	Telephone System Upgrade (2006)	<u>\$61,155</u>
	Total	\$122,310

DECREASE APPROPRIATION ACCOUNT:

A.1650.----.4	Contractual - Communications System	\$61,155
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INCREASE REVENUE ACCOUNT:

H.1680.636.R503.1000	Interfund Transfers-Interfund Transfer	\$61,155
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Signed: Scudder, Davis, Starks, Chagnon, Nazzaro, Niebel, Gould, Muldowney

RES. NO. 112-19

Authorize Extension of Grant Funding for Help America Vote Act (HAVA) SHOEBOX Grant

By Administrative Services and Audit & Control Committees:
At the Request of County Executive George M. Borrello:

WHEREAS, pursuant to Resolutions 102-12 and 137-17, the County Legislature authorized the Chautauqua County Board of Elections to receive a grant from the NYS Board of Elections acting through the State of New York in the amount of \$230,002.76 to implement the 2002 Help America Vote Act (HAVA); and

WHEREAS, the County Board of Elections will use the grant proceeds for Voting Machine related items, such as but not limited to Voting Machine Scanner replacement, Ballot Marking Device replacement and Training on the Voting Machines; and

WHEREAS, the remaining funding is \$44,460.37 and revenues and expenditures associated with the grant are already included in the 2019 budget so no budget amendments are necessary; and

WHEREAS, it would be appropriate to extend the grant under the same terms and conditions from April 1, 2019 through March 31, 2020; therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an extension of the grant agreement with the State of New York for the designated time period.

Signed: Scudder, Davis, Starks, Chagnon, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 113-19

Authorize Extension of Voter Education/Poll Worker Training and the New York State Poll Site
Access Improvement Grant

By Administrative Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the County Board of Elections has successfully applied through the New York State Board of Elections for grant funds to enhance voting opportunities to persons with disabilities in the amount of \$40,543.00; and

WHEREAS, the County Board of Elections will use the grant proceeds to establish, expand and improve access to poll sites to increase participation in the election process by individuals with a full range of disabilities, and

WHEREAS, the remaining funding is \$10,057.11 and revenues and expenditures associated with the grant are already included in the 2019 budget so no budget amendments are necessary; and

WHEREAS, it would be appropriate to extend the grant under the same terms and conditions from April 1, 2019 through March 31, 2020; therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an extension of the grant agreement with the State of New York for the designated time period.
Signed: Scudder, Davis, Starks, Chagnon, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 114-19

Authorize Memorandum of Understanding with Cattaraugus County Sheriff's Office

By Public Safety Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Office of the Sheriff is the recipient of grant funding for Explosive Ordinance Disposal Team initiatives; and

WHEREAS, the Cattaraugus County Sheriff's Office has historically assisted with said initiatives through deputy participation on the Explosive Ordinance Disposal Team; and

WHEREAS, this grant expense and revenue is included in the 2019 Budget so amendments are not needed; it is hereby

RESOLVED, that the County Executive is hereby authorized to enter into a Memorandum of Understanding with Cattaraugus County regarding continuation of the collaborative Explosive Ordinance Disposal Team for a term beginning October 1, 2018 until termination by the parties.

Signed: Niebel, Pavlock, Whitford

RES. NO. 115-19

Amend 2018 & 2019 Budgets for Grant Equipment Revenue – Office of the Sheriff, Public Safety Communications Network

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, several purchase orders for grant-funded equipment were prepared in 2018 for the Office of the Sheriff, Public Safety Communications Network, but the purchases were not completed in 2018; and

WHEREAS, 2018 revenues for the Office of the Sheriff, Public Safety Communications Network are significantly short of budget because grant revenue could not be earned because the corresponding equipment was not purchased; and

WHEREAS, the 2018 expenditure budgets for the equipment were encumbered so they automatically roll forward into the 2019 budget, but the corresponding revenue budgets for the equipment do not automatically roll forward into the 2019 budget; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

DECREASE REVENUE ACCOUNT:

A.3020.PSCN.R438.9000	Federal Aid-Other Public Safety Aid	\$536,592
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; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2019 budget:

INCREASE REVENUE ACCOUNT:

A.3020.PSCN.R438.9000	Federal Aid-Other Public Safety Aid	\$536,592
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Signed: Niebel, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 116-19

Amend Chautauqua County Health & Human Services 2019 Budget for Rollover of Public Health Emergency Preparedness Program Opioid Crisis Funding

By Human Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, On July 30, 2018 Chautauqua County was awarded \$75,000 in Public Health Emergency Preparedness Program Opioid Crisis Funding for the period July 1, 2018 to June 30, 2019; and

WHEREAS, revenues and expenditures related to the Public Health Emergency Preparedness Program Opioid Crisis Funding for the period July 1, 2018 to December 31, 2018 were minimal; and

WHEREAS, activity on the project is expected to continue and unused grant funds are still available; and

WHEREAS, the 2019 Budget must be adjusted to include these awarded funds and related expenditures; now, therefore be it

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.----.----.917.0000 Unassigned Fund Balance—Unassigned Fund Balance \$ 36,769

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2019 budget:

INCREASE APPROPRIATION ACCOUNT:

A.4010----.4 Contractual – Public Health Admin \$ 38,231

INCREASE REVENUE ACCOUNT:

A.4010.----.R430.5003 Federal Revenue – CDC-Bioterrorism Grant \$ 75,000

Signed: Wilfong, O’Connell, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 117-19

Amend 2019 Budget for Equipment Purchases for Environmental Health Childhood Lead Poisoning Primary Prevention Program

By Human Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, 2019 expenditures for equipment purchases for the Environmental Health Childhood Lead Poisoning Primary Prevention Program are now projected to be in excess of the budgeted amount; and

WHEREAS, 2019 expenditures for contractual purchases for the Environmental Health Childhood Lead Poisoning Primary Prevention Program are now projected to be lower than the budgeted amount; and

WHEREAS, the 2019 Budget must be adjusted to facilitate purchase of the equipment and reflect the above listed changes in expenditures; now, therefore be it

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2019 Budget:

INCREASE APPROPRIATION ACCOUNT:

A.4189.LEAD.2	Equipment- Other Public Health Progs- Lead Testing	\$ 6,405
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DECREASE APPROPRIATION ACCOUNT:

A.4189.LEAD.4	Contractual- Other Public Health Progs- Lead Testing	\$ 6,405
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Signed: Wilfong, O'Connell, Pavlock, Whitford, Chagnon, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 118-19

Authorize Grant Application for 2019 Community Development Block Grant Funding through the New York State Office of Community Renewal

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the County desires to submit a Community Development Block Grant ("CDBG") application to the New York State Office of Community Renewal ("OCR") for an Economic Development Grant in the amount of \$450,000 to support the development of Webb's Chautauqua Resorts, LLC located on Route 394, Chautauqua Lake in Mayville, New York (the "Project"); and

WHEREAS, the County's application for an OCR Economic Development Grant shall include entering into an agreement with the Chautauqua Region Economic Development Corporation (CREDC) for the implementation of the Project and administration of the OCR Economic Development Grant Program; and

WHEREAS, pursuant to Resolution 76-19, the County has held a public hearing pursuant to 24 CFR §§570.431 and 570.486 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 CDBG grant application to the OCR to support the Project; and be it further

RESOLVED, That the County Executive is hereby authorized to execute the OCR grant agreement, a grant agreement with CREDC, and all other related documents associated with the OCR grant, and all such documents to be 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 environmental review actions associated with the OCR grant pursuant to the National Environmental Policy Act ("NEPA").

Signed: Odell, Chagnon, O'Connell, Starks, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 119-19
Establishment of a Chautauqua County Food Policy Council

By Planning & Economic Development Committee:
At the Request of County Executive George M. Borrello:

WHEREAS, the Growing Foods Connections Partnership ("Partnership") identified Chautauqua County as a Community of Opportunity, and formed the Growing Foods Connections ("GFC") Committee in 2015; and

WHEREAS, the GFC Committee worked with the Partnership to identify the barriers and capacities of the Chautauqua County food system; and

WHEREAS, students from the University at Buffalo of the State of New York ("UB") graduate program completed the Cultivating Prosperity in Chautauqua County ("Cultivating Prosperity") report based on the work conducted by the Partnership and the GFC Committee; and

WHEREAS, in prioritizing the recommendations proposed by the Cultivating Prosperity report, the GFC Committee determined the formation of a food policy council to be a top priority; and

WHEREAS, a food policy council serves as a network to bring stakeholders both directly and indirectly involved in a food system together to increase communication between sectors and to strengthen and build healthy, sustainable communities; and,

WHEREAS, the Chautauqua County Health Network ("CCHN"), which is part of the GFC Committee, secured grant funding through the "Creating Healthy Schools and Communities" program to implement recommendations from the Cultivating Prosperity report; and

WHEREAS, CCHN and the Chautauqua County Division of Planning and Community Development (CCDPCD) have entered into an agreement to form a County Food Policy Council to strengthen and sustain the local food system; and

WHEREAS, pursuant to Resolution No. 219-18, the Chautauqua County Legislature authorized the County Executive to enter into an agreement with CCHN to accept \$15,000 in grant funding for the formation of the Chautauqua County Food Policy Council; and

WHEREAS, CCDPCD met with the GFC Committee to determine the purpose and composition of a food policy council for Chautauqua County; therefore, be it

RESOLVED, That the Chautauqua County Legislature hereby establishes a Chautauqua County Food Policy Council, hereinafter referred to as the FPC; and be it further

RESOLVED, That the FPC will consist of a minimum of thirteen members, comprising seven reserved seats and six community seats. The seven reserved seats will include members from the following organizations and groups:

- a. Cornell Cooperative Extension of Chautauqua County;
- b. County Legislator or other County government representative;
- c. Chautauqua County Health Network;
- d. a farmer or food producer;
- e. a wholesale or commercial consumer;
- f. a food distributor or transporter; and
- g. a governmental or non-governmental organization working in the area of health, social services, and/or nutrition assistance.

Additional seats may be added as recommended by the FPC, but total membership will not exceed fifteen members; and be it further

RESOLVED, That members of the FPC shall be appointed by the County Executive, based on the recommendations of the FPC and CCDPCD, and confirmed by the County Legislature.

Signed: Odell, Chagnon, O'Connell, Starks

RES. NO. 120-19

Town of Busti Stormwater Project - Confirm Prior Match Commitment

By Planning & Economic Development and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are fiercely competitive and require a local match in cash and/or in-kind services; and

WHEREAS, the Chautauqua County Division of Planning and Community Development (CCDPCD), the Chautauqua Lake and Watershed Management Alliance (Alliance), the Village of Lakewood, and the Town of Busti successfully partnered in 2016 to procure previous state funding pursuant to Resolution 193-16, which produced a stormwater engineering study and report completed in May 2018; and

WHEREAS, the stormwater engineering study and report identified stormwater projects located within the Village of Lakewood and Town of Busti which were then pursued through 2018 CFA grant funding, implementation of which will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, the 2018 CFAs included the New York State Department of Environmental Conservation (DEC) Water Quality Improvement Program (WQIP) grant, which offers state grant funding to cover 75% of water quality related project costs; and

WHEREAS, the Town of Busti, in partnership with the CCDPCD, the Village of Lakewood and the Alliance, has successfully been awarded up to \$202,478 in state reimbursable grant funding for the Lakewood – Busti Precision Swale Retrofit project under the WQIP grant; and

WHEREAS, by Resolution 172-18, the County committed a local cash match of \$5,000 for the Lakewood – Busti Precision Swale Retrofit project:

Project Title	Total Project Costs	NYS CFA Funding Awarded	Commitment of County Cash Matching Funds	Other Sources of Local Match
Lakewood – Busti Precision Swale Retrofit	\$269,971	\$202,478	\$5,000	\$62,493*
<i>*Additional sources of match funding other than County match will be combination of cash and in-kind commitments from the Alliance and Town of Busti.</i>				

; therefore be it

RESOLVED, That the County shall fulfill its portion of the local match commitment identified in Resolution 172-18 as \$5,000 for the Lakewood – Busti Precision Swale Retrofit Project from the reallocated Alliance member water quality program funds established under Resolution 131-15 and appropriated in capital project account H.8020.674 Chaut Lake Managemnt Comm (2008); and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution.

Signed: Odell, Chagnon, O’Connell, Starks, Nazzaro, Muldowney, Niebel, Gould

RES. NO. 121-19
Amend 2018 Budget for Year End Reconciliations – Final Adjustments

By Audit & Control Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, some department expenses have exceeded initial budgetary estimates, as well as some departmental appropriations have a surplus; and

WHEREAS, the some departments received revenues in excess of budget; now therefore be it RESOLVED, That the Self Insurance MS Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

	Unassigned Fund Balance--Unassigned Fund	
MS.----.----.917.0000	Balance	\$1,553,559

; and be it further

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2018 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.1985.----.4	Contractual - Municipal Sales Tax	\$748,794
A.3989.----.4	Contractual - Emergency Medical Service	\$1,198
A.4010.----.4	Contractual - Public Health Administration	\$7,884
A.9730.----.6	Principal - Debt Service	\$21
A.9730.----.7	Interest - Debt Service	\$270
EE.8410.----.4	Contractual - Electric Generation	\$13,419
EL.8160.7000.8	Employee Benefits - Environment, Recycling	\$562
	Employee Benefits - Sanitary Sewers, Sanitary	
ESN.8120.8122.8	Sewers	\$9,782
	Employee Benefits - Sewage Treatment, Sewage	
ESN.8130.8132.8	Treatment	\$10,993
ESS.8130.----.8	Employee Benefits - Sewage Treatment	\$47,963
EW.8120.----.8	Employee Benefits - Sanitary Sewers	\$140
EW.8310.----.8	Employee Benefits - Water District	\$290
<u>M.9089.8000.4</u>	<u>Contractual - Undistributed Benefits, Benefit Surcharge</u>	<u>\$1,522</u>
MS.1720.----.4	Contractual - Benefits & Awards	<u>\$2,243,241</u>
		<u>\$3,084,557</u>
	Total	<u>\$3,086,079</u>

DECREASE APPROPRIATION ACCOUNTS:

	Contractual - Emergency Medical Service, Continuing	
A.3989.CME.4	Medical Education	\$1,198
A.4010.NURS.4	Contractual - Public Health Administration, Nursing	\$7,884
EE.9710.----.7	Interest - Debt Service/Serial Bonds	\$13,419
EL.8160.7000.4	Contractual - Environment, Recycling	\$562
ESS.8130.----.4	Contractual - Sewage Treatment	\$47,963
EW.8120.----.1	Personal Services - Sanitary Sewers	\$140
EW.8310.----.1	Personal Services - Water District	\$290
MS.1710.----.4	Contractual - Insurance Administration	<u>\$80,955</u>
	Total	\$152,411

INCREASE REVENUE ACCOUNTS:

A.1985.----.R111.0MUN	Non Property Tax Items-Sales Tax-Muni Make Whole	\$748,794
A.9730.----.R118.9000	Non Property Tax Items-Mortgage Tax	\$291
ESN.8130.9999.R212.2000	Departmental Income-Chrgs: Sewer	\$20,775
M.9089.8000.R270.9004	Departmental Income-Retiree Contributions	\$1,522
MS.1710.9999.R270.9000	Miscellaneous-Participant Assessments	<u>\$608,727</u>
		<u>\$1,378,587</u>
		<u>\$1,380,109</u>

Total

Signed: Chagnon, Nazzaro, Muldowney, Niebel, Gould (*Amended in AC- ~~strikethrough~~ and new text underlined*)