

Agenda

Public Facilities Committee

Tuesday, January 17, 2017, 4:00pm, Room 331

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (12/12/16)
- C. Privilege of the Floor
 - 1. Proposed Resolution – Transfer DPF Administration Petty Cash from Checking to Cash
 - 2. Proposed Resolution – Amend County Road System Map to Add CR 649 Precision Way
 - 3. Proposed Resolution – Close Accounts for Completed department of Public Facilities Projects as of 12/31/16
 - 4. Proposed Resolution – Authorizing Public Hearing Regarding Modification of Improvements for Phosphorous Removal in the Treatment Plant of the North Chautauqua Lake Sewer District
 - 5. Proposed Resolution – Authorize Amendments to FBO and Hangar Lease Agreement at The Greater Chautauqua/Jamestown Airport
 - 6. Discussion - Amending Rules & Regulations Regarding Verbatim Minutes
 - 7. Other

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 12-20-16
KMW 1/3/17
SMA 1/3/17
KLC 1/4/17
SM 1/4/17
VWH 1/4/17

TITLE: Transfer DPF Administration Petty Cash from Checking to Cash

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Vincent W. Horrigan:

WHEREAS, pursuant to Resolutions 102-54 and 164-87, the Department of Public Facilities has a petty cash fund in the amount of two hundred dollars (\$200.00), established pursuant to Section 371 of New York State County Law; and

WHEREAS, the petty cash is currently divided between a checking account, one hundred fifty dollars (\$150.00), and cash, fifty dollars (\$50.00), but the checking account is only minimally used; therefore be it

RESOLVED, That the Director of Finance be authorized to transfer fifty dollars (\$50.00) from Key Bank account number 625-70899-7 to the petty cash drawer, with the remaining one hundred dollars (\$100.00) surrendered to the Department of Finance; and be it further

RESOLVED, That going forward the Department of Public Facilities petty cash fund shall be in the amount of one hundred dollars (\$100.00).

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 1-6-17
KMW 1.6.17
SMA 1-6-17
KLC 1/9/17
SM 1/9/17
VWH 1/10/17

TITLE: Amend County Road System Map to Add CR 649 Precision Way

BY: Public Facilities Committee:

AT THE REQUEST OF: County Executive Vincent W. Horrigan:

WHEREAS, Precision Way, a 0.24 mile road in the Mason Industrial Park, is owned by the Chautauqua County Industrial Development Agency (IDA); and

WHEREAS, the County Department of Public Facilities has maintained this road since its construction in 1989; and

WHEREAS, New York State funding for maintenance of this road is not available unless the road is included on the County's Road System Map; and

WHEREAS, the Chautauqua County IDA has agreed to release ownership of Precision Way to Chautauqua County; therefore be it

RESOLVED, That the 0.24 mile road known as Precision Way, from CR 144 to the end, be added to the County Road System Map; and be it further

RESOLVED, That such road be identified as CR 649; and be it further

RESOLVED, That, pursuant to New York State Highway Law §115, a copy of the amended Map be filed in the offices of the County Clerk and the County Superintendent of Highways.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

SM 12/28/16 SMA 1/6/17 KLC 1/9/17 VWH 1/10/17
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TITLE: Close Accounts for Completed Department of Public Facilities Projects as of 12/31/2016

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Vincent W. Horrigan:

WHEREAS, The Public Facilities Department has notified the Department of Finance that the capital projects listed below have been completed or will be completed by December 31, 2016:

H.1620-25787 – HVAC upgrades – MVL complex (2011),
H.1620-25924 – Judge’s Parking Lot (2014),
H.1620.680 – Ext Drainage – GOB/CH Cor (2009),
H.5130.25874 – Admin Building Carpet replace,
H.5130.657 – DPF shop maint facility (2007),
H.5130.694 – Oil separator/sewer upgrd (2009),
H.5130.695- Fuel storage del: Sheridan (2009),
H.5610.154 – Install Generator – Jmst (2014),
H.5610.238 – Mast Plan Up RW 24 (2008),
H.5610.25752 – Remove Arprt Obstruct- DNK (2010),
H.5610.25901 – Blower & Broom – JSTN (2014),
H.5610.25935 – Rehab Gen Aviat Apron – DNK (2014),
H.5610.25958 – Airport Study – Jmst (2015),
H.5610.25978 – Drainage Improvements – Dunkirk (2015),
H.5630.25824 – Surveillance Equip – Carts (2010),
H.5630.25825 – ADP Hardware – AVL & MDC
H.5630.25883 - BASE STA & REPTR UPGRADE (2012)
H.5630.25900 – Hopkins Lot Parking,
H.5630.25909 – Replace pressure washers (2014),
H.5630.25943 – Carts Flooring Replmnt (2016),
H.7110.25829 – Luensman Pavilion Roof (2013);

now therefore be it

RESOLVED, That the Director of Finance close out the accounts listed above for any further expenditures as of the year ending December 31, 2016 and begin capitalization as necessary; and be it further

RESOLVED, That upon completion of audit and reconciliation of accounts, any surplus or deficit be adjusted to the appropriate Fund or Reserve for Capital.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

**SMA 1/10/17
SM 1/10/17**

TITLE: Authorizing Public Hearing Regarding Modification of Improvements for Phosphorous Removal in the Treatment Plant of the North Chautauqua Lake Sewer District

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: Chairman David Himelein and County Executive Vincent W. Horrigan

WHEREAS, pursuant to Resolution 102-15, adopted after a public hearing held pursuant to County Law § 268 on May 27, 2015, the Chautauqua County Legislature found and determined that it was in the public interest to construct improvements for phosphorous removal at the treatment plant of the North Chautauqua Lake Sewer District (hereinafter referred to as the "District") at a maximum cost of Two Million Eight Hundred Thousand Dollars (\$2,800,000), and by Order dated September 18, 2015, the Comptroller of the State of New York granted permission to the County and District to construct said improvements for said maximum amount; and

WHEREAS, subsequent to the adoption of Resolution 102-15, the New York State Department of Environmental Conservation (NYSDEC) issued a new State Pollutant Discharge Elimination System (SPDES) permit to the District identifying major revision to the limits for Total Residual Chlorine (TRC), which necessitates changes to the project scope design of the improvements to address the revised TRC limit; and

WHEREAS, also subsequent to the adoption of Resolution 102-15, the District has further identified a need for: (1) replacement of the existing emergency generator with a unit that can serve the entire treatment plant facility including the proposed improvements for phosphorous removal; (2) replacement of the existing original mechanical bar screen at the treatment plant; and (3) milling and repaving of the roadway at the treatment plant; and

WHEREAS, also subsequent to the adoption of Resolution 102-15, the District applied for and received a hardship funding award through the New York State Environmental Facilities Corporation (EFC) which will allow the District to receive interest-free financing for a term of up to thirty (30) years for the improvements to be constructed; and

WHEREAS, as a result of the changed circumstances described above, the Chautauqua County Legislature has received from the District Board a modified Map and Plan entitled "Basis of Design Report – North Chautauqua Lake Sewer District WWTP Phosphorous Compliance Upgrades," dated January 10, 2017, (hereinafter referred to as the "Map and Plan") prepared by O'Brien & Gere Engineers, Inc., an engineer duly licensed by the State of New York, with the request by the District Board that this Legislature call a public hearing thereon pursuant to County Law § 253-b and §268; now therefore be it

RESOLVED, That a public hearing will be held by the Chautauqua County Legislature at the Legislative Chambers, Gerace Office Building in the Village of Mayville, Chautauqua County, New York on February 22, 2017 at 6:45 o'clock PM, prevailing time, on the question of the adoption of the modified Map and Plan that includes the aforementioned changes to the improvements and financing of the District's treatment plant project for phosphorous removal, and to take such action thereon as is required or authorized by law; and it is further

RESOLVED, That the proposed modified upgrades of facilities described in the modified Map and Plan is a Type II Action under Part 617 of Title 6 of the Official Compilation of Codes, Rules and Regulations of the State of New York (NYCRR), requiring no further action under the New York State Environmental Quality Review Act, being Article 8 of the Environmental Conservation Law of the State of New York; as follows:

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

- 6 NYCRR 617.5(c)(1) – maintenance or repair involving no substantial changes in an existing structure or facility;
- 6 NYCRR 617.5(c)(6) – maintenance of existing landscaping or natural growth;
- 6 NYCRR 617.5(c)(7) – construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and
- 6 NYCRR 617.5(c)(11) – extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list.

and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the County and to be transmitted by first class mail to each assessed owner of property within the district as their names and addresses appear on the current assessment roll not less than ten (10) nor more than twenty (20) days before the date designated for the hearing; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the County Legislature of the County of Chautauqua, New York, will meet in the Legislative Chambers, Gerace Office Building, Mayville, New York on February 22, 2017 at 6:45 o'clock PM, prevailing time, for the purpose of conducting a public hearing on the question of the adoption of the modified Map and Plan for the construction of improvements for phosphorous removal in the treatment plant of the North Chautauqua Lake Sewer District in said county that modifies the original Map and Plan previously approved by the Chautauqua County Legislature on May 27, 2015, with such modifications to the Map and Plan consisting of installation of ultraviolet disinfection technology to address major revisions to the limits for Total Residual Chlorine (TRC) under the District's State Pollutant Discharge Elimination System (SPDES) permit, along with the following additional items: (1) the replacement of the existing emergency generator with a unit that can serve the entire treatment plant facility including the proposed improvements for phosphorous removal; (2) the replacement of the existing original mechanical bar screen at the treatment plant; and (3) the milling and repaving of the roadway at the treatment plant. The estimated maximum cost of the improvements as modified would increase from \$2,800,000 to \$3,972,700, but due to the award of interest-free financing from the New York State Environmental Facilities Corporation, the maximum estimated annual cost to the typical single family home within the District will be increased by \$88 per year to \$466 per year, instead of the prior proposed increase of \$94 per year to \$472 per year previously approved on May 27, 2015. At such public hearing, the Chautauqua County Legislature will hear all persons interested in the subject matter thereof.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

- 6 NYCRR 617.5(c)(1) – maintenance or repair involving no substantial changes in an existing structure or facility;
- 6 NYCRR 617.5(c)(6) – maintenance of existing landscaping or natural growth;
- 6 NYCRR 617.5(c)(7) – construction or expansion of a primary or accessory/appurtenant, nonresidential structure or facility involving less than 4,000 square feet of gross floor area and not involving a change in zoning or a use variance and consistent with local land use controls, but not radio communication or microwave transmission facilities; and
- 6 NYCRR 617.5(c)(11) – extension of utility distribution facilities, including gas, electric, telephone, cable, water and sewer connections to render service in approved subdivisions or in connection with any action on this list.

and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the County and to be transmitted by first class mail to each assessed owner of property within the district as their names and addresses appear on the current assessment roll not less than ten (10) nor more than twenty (20) days before the date designated for the hearing; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

NOTICE OF PUBLIC HEARING

Notice is hereby given that the County Legislature of the County of Chautauqua, New York, will meet in the Legislative Chambers, Gerace Office Building, Mayville, New York on February 22, 2017 at 6:45 o'clock PM, prevailing time, for the purpose of conducting a public hearing on the question of the adoption of the modified Map and Plan for the construction of improvements for phosphorous removal in the treatment plant of the North Chautauqua Lake Sewer District in said county that modifies the original Map and Plan previously approved by the Chautauqua County Legislature on May 27, 2015, with such modifications to the Map and Plan consisting of installation of ultraviolet disinfection technology to address major revisions to the limits for Total Residual Chlorine (TRC) under the District's State Pollutant Discharge Elimination System (SPDES) permit, along with the following additional items: (1) the replacement of the existing emergency generator with a unit that can serve the entire treatment plant facility including the proposed improvements for phosphorous removal; (2) the replacement of the existing original mechanical bar screen at the treatment plant; and (3) the milling and repaving of the roadway at the treatment plant. The estimated maximum cost of the improvements as modified would increase from \$2,800,000 to \$3,972,700, but due to the award of interest-free financing from the New York State Environmental Facilities Corporation, the maximum estimated annual cost to the typical single family home within the District will be increased by \$88 per year to \$466 per year, instead of the prior proposed increase of \$94 per year to \$472 per year previously approved on May 27, 2015. At such public hearing, the Chautauqua County Legislature will hear all persons interested in the subject matter thereof.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Amendments to FBO and Hangar Lease Agreement at the Chautauqua County/Jamestown Airport

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive Vincent W. Horrigan:

WHEREAS, pursuant to Resolution 17-15, the County entered into a lease with Jamestown Aviation Company, LLC to continue its operation of a full-service fixed base operation (FBO) and hangar facilities; and

WHEREAS, amendments to the terms of the agreement have been negotiated with Jamestown Aviation Company, LLC and a public hearing pursuant to Article 14 of the General Municipal Law has been held; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute amendments to the agreement with Jamestown Aviation Company, LLC ("JAC") to include substantially the following amended terms and conditions:

1. Term. Fifteen (15) year term ending December 31, 2029 (*current agreement has a five-year term with JAC having an option to renew for two (2) additional five-year terms which also end December 31, 2029*).
2. Termination. JAC may terminate with or without cause on two (2) years' notice if the Jamestown Airport has commercial air passenger service, or one (1) years' notice if the Jamestown Airport does not have commercial air passenger service (*current agreement allows JAC to terminate on six months' notice at each five-year anniversary date*)
3. Rent and Commissions. Rent of six thousand dollars (\$6,000) per month to be increased annually by two percent (2%), with no additional commissions (*current agreement provides for rent of \$3,700 per month of which \$2400 is subject to a 2% annual increase and \$1300 remains fixed; additional County commissions of 2% on Jet A fuel, 1% on all other fuel, 10% on hangar rents, 25% on parking and tie-down fees, and 90% on landing fees collected by FBO*)
4. Other. As negotiated by the County Executive.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date