

Agenda

Public Facilities Committee

Tuesday, February 20, 2018, 4:00 p.m., Room 331

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (1/16/18)
- C. Privilege of the Floor
 1. Proposed Resolution – Confirm Re-Appointment – South & Center Chautauqua Lake Sewer Districts Board
 2. Proposed Resolution – Confirm Appointment – North Chautauqua Lake Sewer District Board
 3. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – South & Center Chautauqua Lake Sewer Districts
 4. Proposed Resolution – Close Capital Projects and Amend 2018 Budget – South Chautauqua Lake Sewer District
 5. Proposed Resolution – Public Hearing Procedure for the North Chautauqua Lake Sewer District Scale of Charges
 6. Proposed Resolution – Amend 2017 Budget for Year End Reconciliation – North Chautauqua Lake Sewer District
 7. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – Portland-Pomfret-Dunkirk Sewer District
 8. Proposed Resolution – A Resolution Authorizing the Issuance of \$16,888,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the South Chautauqua Lake Sewer District in and for said County
 9. Proposed Resolution – Establishment of Capital Accounts for South & Center Chautauqua Lake Sewer Districts (S&CCLSD) Extension
 10. Proposed Resolution – Resolution of Intent to Acquire Town of North Harmony Sewer District Facilities and Property Interests for the Extension of the South Chautauqua Lake Sewer District

11. Proposed Resolution – Authorize Agreement for Purchase and Removal of County Owned Timber from Property #9 on Warner Road in Town of North Harmony
12. Proposed Resolution – Establish Multiyear Parks Capital Improvement Accounts
13. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – Public Facilities Transportation Division
14. Proposed Resolution - Amend 2017 Budget for Year End Reconciliations – Public Facilities Road Machinery Division
15. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – Public Facilities
16. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – Landfill – Environment
17. Proposed Resolution – Authorize Supplemental Agreement No. 3 with NYSDOT for PIN 761.00
18. Proposed Resolution - Authorize Lease Agreement with Celebration Hall, LLC for Office Space for the Public Defender Office - Family Court Division
19. Proposed Resolution – Approving SEQRA Determination for New Fuel Farm at Dunkirk Airport
20. Proposed Resolution – A Resolution Authorizing the Issuance of \$650,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of a Fuel Farm at the Dunkirk Airport in and for Said County
21. Proposed Resolution – Establishment of Capital Accounts for New Fuel Farm at Dunkirk Airport
22. Proposed Resolution – Authorizing the Sale of Curtis Street Residential Property Owned by JCC
23. Discussion – Development of Roberts Road Properties – Steve Abdella, County Attorney
24. Other

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 1/18/18

TITLE: Confirm Re-Appointment – South & Center Chautauqua Lake Sewer Districts Board

BY: Public Facilities Committee:

AT THE REQUEST OF: Legislature Chairman Paul M. Wendel, Jr.:

WHEREAS, the Board of Directors of the South & Center Chautauqua Lake Sewer District has recommended the following re-appointment; therefore be it

RESOLVED, That the Chautauqua County Legislature confirm the following re-appointment to the South & Center Chautauqua Lake Sewer Districts Board:

Thomas Erlandson
26 Valley View Drive
Frewsburg, NY 14738
Term Expires: 12/31/23

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 1/24/18

TITLE: Confirm Appointment-North Chautauqua Lake Sewer District Board

BY: Public Facilities Committee:

AT THE REQUEST OF: Chairman Paul M. Wendel, Jr.:

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 Resolution 38-76 and County Law §261 the District is administered by a board consisting of seven members appointed by the County Legislature, who serve six year terms with three of the terms expiring in one year, and the remaining terms expiring three years later, and with the Board Chair elected by the membership for a two year term; and

WHEREAS, Wayne Dunbar, appointed to the District Board by Resolution 35-16, has resigned from the Board, and the Board recommends David A. Thomas to fill his vacancy; therefore be it

RESOLVED, That the Chautauqua County Legislature appoints the following to the North Chautauqua Lake Sewer District Board:

David A. Thomas
87 South Erie Street
Mayville, N.Y. 14757
Term Expires: 12/31/23

Replacing Jim Loutzenhiser

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

SDC 2-2-18
KMW 2.5.18
SMA 2-5-18
KMD 2/5/18
KLC 2/5/18
GMB 2/8/18

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Public Hearing Procedures for the North Chautauqua Lake Sewer District
Scale of Charges

BY: Public Facilities Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to §266 of New York's County Law the Board of Directors of the North Chautauqua Lake Sewer District is required to hold a public hearing prior to adopting a scale of charges, such hearing to be conducted in a manner prescribed by the legislature; and

WHEREAS, Chautauqua County Resolution 18-79 established procedures for the holding of such public hearings; and

WHEREAS, such procedures called for notice of the hearing to be published in both The Post-Journal and the Mayville Sentinel, the latter of which no longer exists; now therefore be it

RESOLVED, That public hearings for the establishment of a scale of charges be held by the district board at a place within the boundaries of the district and that the public notice of the date established by the district board for such hearing shall be published once not less than ten (10) or more than twenty (20) days from such date in The Post Journal; and be it further

RESOLVED, That said public notice shall state that the Board of Directors of the North Chautauqua Lake Sewer District as the administrative body of said district calls a public hearing upon the scale of charges for the collection, conveyance, treatment and disposal of sewage within the North Chautauqua Lake Sewer District to be established pursuant to Section 266 of the County Law and this resolution, together with the place, date, day of the week, and time when such hearing will be held.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SDC 02/08/18
KMW 2.8.18
SMA 2/8/18
KMD 2/8/18
KLC 2/8/18
GMB 2/12/18

TITLE: Amend 2017 Budget for Year End Reconciliations – North Chautauqua Lake Sewer District

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some North Chautauqua Lake Sewer District expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2017 budget:

INCREASE APPROPRIATION ACCOUNTS:

ESN.8110.8112.8	Employee Benefits - Administration, Administration	\$8,787
ESN.8120.8122.1	Personal Services - Sanitary Sewers, Sanitary Sewers	\$1,079
ESN.8120.8122.4	Contractual - Sanitary Sewers, Sanitary Sewers	\$7,185
	Personal Services - Sewage Treatment, Sewage Treatment	
ESN.8130.8132.1	Employee Benefits - Sewage Treatment, Sewage Treatment	\$3,035
ESN.8130.8132.8	Treatment	<u>\$625</u>
	- Total	\$20,711

DECREASE APPROPRIATION ACCOUNTS:

ESN.8110.8112.1	Personal Services - Administration, Administration	\$1,259
ESN.8110.8112.4	Contractual - Administration, Administration	\$4,468
ESN.8130.8132.4	Contractual - Sewage Treatment, Sewage Treatment	<u>\$14,984</u>
	- Total	\$20,711

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SDC 02/07/18
KMW 2.8.18
SMA 2/8/18
KMD 2/8/18
KLC 2/8/18
GMB 2/13/18

TITLE: Amend 2017 Budget for Year End Reconciliations – Portland-Pomfret - Dunkirk Sewer District

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some Portland Pomfret Dunkirk Sewer District expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Portland Pomfret Dunkirk Sewer District 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 2017 budget:

INCREASE APPROPRIATION ACCOUNTS:

ESP.8110.8114.4	Contractual - Administration, Administration	\$1,212
ESP.8120.8124.4	Contractual - Sanitary Sewers, Sanitary Sewers	<u>\$24,051</u>
	- Total	\$25,263

DECREASE APPROPRIATION ACCOUNTS:

ESP.8120.8124.2	Equipment - Sanitary Sewers, Sanitary Sewers	\$915
	Contractual - Sewage Treatment, Sewage	
ESP.8130.8134.4	Treatment	\$12,552
ESP.9730.9734.7	Interest - Debt Service, PPDSD Debt Service	<u>\$8,464</u>
	- Total	\$21,931

INCREASE REVENUE ACCOUNTS:

	Departmental Income--Interest & Penalties:	
ESP.8110.8114.R212.8000	Sewer Charges	\$438
ESP.8130.8134.R212.2001	Departmental Income--Chrgs: Sewer Fees	\$2,844
ESP.8130.8134.R277.0000	Miscellaneous--Other Unclassified Rev	<u>\$50</u>
	- Total	\$3,332

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 2/8/18 KMD 2/8/18 TW 2/9/18 KLC 2/9/18 GMB 2/12/18

TITLE: A Resolution Authorizing the Issuance of \$16,888,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of an Extension of the South Chautauqua Lake Sewer District in and for said County

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello and County Legislator Pierre Chagnon

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

WHEREAS, it is now desired to authorize the financing and undertaking of such capital project; NOW THEREFORE,

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The design and construction of improvements for the extension of the South Chautauqua Lake Sewer District to be located in the Town of North Harmony, in and for the County of Chautauqua, New York, including installation of new facilities for the sewer extension that include gravity sewers, pressure sewers, pumping stations, as well as incidental improvements and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$16,888,000.

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 \$16,888,000 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 currently estimated to be \$7,500,000.

Section 3. It is hereby determined that the period of probable usefulness of the aforesaid specific object or purposes 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.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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 effects immediately, shall be published in summary form in the official newspapers 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.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-6-18
ABC 2/7/18
SMA 2/7/18
KMD 2/7/18
KLC 2/8/18
GMB 2/8/18

TITLE: Authorize Agreement for Purchase and Removal of County Owned Timber from Property # 9 on Warner Road in Town of North Harmony

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the County of Chautauqua solicited competitive bids to sell approximately 192,300 board feet of marked hardwood sawtimber located on County owned property in the Town of North Harmony, and designated on the Chautauqua County Tax Map for the Town of North Harmony as Section 364.00 Block 1 Lot 35 (Reforestation Parcel # 9); and

WHEREAS, bid invitations were sent to reliable bidders and two bids were received in response thereto; and

WHEREAS, Gutchess Lumber Company, 890 McLean Road, Cortland, New York 13045, submitted the highest bid for Reforestation Parcel #9 with a bid in the amount of \$100,107; and

WHEREAS, the total sale amount payable to Chautauqua County is \$100,107, and pursuant to Resolution 164-02, revenue from the sale of timber rights will be dedicated to capital improvements to the County parks system; and

WHEREAS, it is appropriate to accept the bid submitted by Gutchess Lumber Company as the offered prices exceed the fair market appraisal; now, therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute agreements with Gutchess Lumber Company for the sale and removal of sawtimber on the above-noted property at the above-stated price, with proceeds placed in the Parks Capital account.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-8-18
ABC 2-9-18
SMA 2-9-18
KMD 2/9/18
KLC 2/9/18
GMB 2/12/18

TITLE: Establish Multiyear Parks Capital Improvement Accounts

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Department of Public Facilities Parks Division is responsible to maintain and improve the parks, overland and water trails; and

WHEREAS, the Department of Public Facilities Parks Division is in need of equipment to perform capital improvement and maintenance of the parks and trails; and

WHEREAS, pursuant to Resolution 164-02, all revenues the Department of Public Facilities Parks Division receives from timber sales are designated for capital improvement to the parks and trails; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to establish the following accounts:

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:
H.7110.25002.4 Contractual—Parks-Parks Capital Improvements \$170,012

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:
H.7110.25002.R265.2000 Sale of Property/Compensa—
Sale of Forest Products \$170,012

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-8-18
SMA 2-8-18
KMD 2/9/18
KLC 2/9/18
GMB 2/12/18

TITLE: Amend 2017 Budget for Year End Reconciliations – Public Facilities
Transportation Division

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some Public Facilities Department, Transportation Division, expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Public Facilities Department, Transportation Division, 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 2017 budget:

INCREASE APPROPRIATION ACCOUNTS:

D.5010.----.8	Employee Benefits - Public Facilities Admin	\$2,124
D.5142.----.4	Contractual - Snow Removal: Co Roads	<u>\$1,341,710</u>
	- Total	\$1,343,834

DECREASE APPROPRIATION ACCOUNTS:

D.5110.----.4	Contractual - Maintenance of Roads	\$160,992
D.5110.----.1	Personal Services - Maintenance of Roads	\$367,507
D.5110.----.8	Employee Benefits - Maintenance of Roads	<u>\$369,955</u>
	- Total	\$ 898,454

INCREASE REVENUE ACCOUNT:

D.5110.----.R496.0000	Federal Aid--Fema Disaster Reimbursement	\$445,380
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

<p style="text-align: center;"> GPS 2-8-18 KMW 2-9-18 SMA 2-9-18 KMD 2/9/18 KLC 2/9/18 GMB 2/12/18 </p>
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TITLE: Amend 2017 Budget for Year End Reconciliations – Public Facilities
Road Machinery Division

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some Public Facilities, Road Machinery division, expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; and

WHEREAS, the Public Facilities, Road Machinery division, has received revenues in excess of budget; and

WHEREAS, the net amendments to Public Facilities, Road Machinery Division, expenditures and revenues require the use of DM fund balance; now therefore be it

RESOLVED, That DM Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

DM.----.----.915.0000 Fund Balance – Assigned/Unappropriated Fund Balance	\$15,453
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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 2017 budget:

INCREASE APPROPRIATION ACCOUNT:

DM.5130.----.4	Contractual - Road Machinery	\$165,279
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DECREASE APPROPRIATION ACCOUNTS:

DM.5130.----.1	Personal Services - Road Machinery	\$25,288
DM.5130.----.8	Employee Benefits - Road Machinery	\$15,010
DM.5130.----.7	Debt Services - Interest	\$952
DM.5130.----.2	Equipment - Road Machinery	\$167
	- Total	\$41,417

INCREASE REVENUE ACCOUNTS:

DM.5130.----.R230.ODIE	Shared Services--CHRGs: Diesel	\$27,188
DM.5130.----.R230.0GAS	Shared Services--CHRGs: Municipal Gas	\$5,508
	Shared Services--CHRGs: Mechanic	
DM.5130.----.R230.0MEC	Services	\$6,947
DM.5130.----.R265.0000	Sale of Property/Compensa--Sale of Scrap	\$13,210
DM.5130.----.R280.1DIE	Miscellaneous--Interfund Rev: Diesel	\$6,846
DM.5130.----.R230.1GAS	Miscellaneous--Interfund Rev:GAS	\$48,710
	- Total	\$108,409

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-8-18
KMW 2.9.18
SMA 2-9-18
KMD 2/9/18
KLC 2/9/18
GMB 2/12/18

TITLE: Amend 2017 Budget for Year End Reconciliations—Public Facilities

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

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

WHEREAS, the Public Facilities 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 2017 budget:

INCREASE APPROPRIATION ACCOUNTS:

A.5610.5612.4	Contractual - Chautauqua County Airport-Dunkirk Airport	\$400
A.5630.5625.4	Contractual - Bus Operations--CARTS	\$71,403
A.5630.5631.4	Contractual - Bus Operations--SUNY	\$1,232
A.1620.5080.4	Contractual - Buildings & Grounds-Jail	\$10,437
A.1620.6050.4	Contractual - Buildings & Grounds-DMV-Dunkirk	\$717
A.1620.6080.4	Contractual - Buildings & Grounds-North Co Office Building	\$27
A.1620.7010.4	Contractual - Buildings & Grounds-South Co Office Building	<u>\$48,768</u>
	- Total	\$132,984

DECREASE APPROPRIATION ACCOUNTS:

A.5610.5612.8	Employee Benefits - Chautauqua County Airport-Dunkirk Airport	\$400
A.1620.----.1	Personal Services - Buildings & Ground	\$37,970
A.1620.----.8	Employee Benefits - Buildings & Ground	<u>\$21,979</u>
	- Total	\$60,349

INCREASE REVENUE ACCOUNTS:

A.5630.5625.R458.9000	Federal Aid--Transportation	\$71,403
A.5630.5631.R358.9000	New York State Aid--Transportation	<u>\$1,232</u>
	- Total	\$72,635

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-5-18 KMW 2.5.18 SMA 2-5-18 KMD 2/5/18 KLC 2/8/18 GMB 2/13/18

TITLE: Amend 2017 Budget for Year End Reconciliations – Landfill-Environment

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, some Landfill Environmental division expenses have exceeded initial budgetary estimates, and some appropriation accounts have a surplus; and

WHEREAS, the Landfill Environmental division 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 2017 budget:

INCREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.2	Depreciable Equipment--Environment-Landfill	\$1,255
EL.8160.1000.4	Contractual --Environment- Landfill	\$117,718
EL.8160.6000.4	Contractual --Environment-Closed Landfills	\$4,433
EL.8160.7000.4	Contractual --Environment-Recycling	\$11,902
EL.8189.----.1	Personal Services --Oth Env-House Haz Waste	\$64
EL.9710.----.7	Interest --Debt Service/Serial Bonds	\$498
	Total	\$135,870

DECREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.8	Employee Benefits --Environment-Landfill	\$55,672
EL.8160.1000.1	Personal Services --Environment-Landfill	\$37,889
EL.8160.6000.1	Personal Services --Environment-Closed Landfills	\$3,640
EL.8160.6000.8	Contractual --Environment-Closed Landfills	\$6,786
EL.8189.----.4	Contractual --Oth Env-House Haz Waste	\$9,213
EL.8189.----.8	Employee Benefits --Oth Env-House Haz Waste	\$529
	Total	\$113,729

INCREASE REVENUE ACCOUNT:

EL.8160.7000.R265.1000	Sale of Property/Compensa--Sale of Recyclables	\$22,141
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

GPS 2-7-18
KMW 2.12.18
SMA 2-12-18
KMD 2-12-18
KLC 2-12-18
GMB 2-13-18

TITLE: Authorize Supplemental Agreement No. 3 with NYSDOT for PIN 761.00

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, Resolutions 204-14 and 111-16 approved a project for the Rehabilitation of the South Main Street Bridge over Chadakoin River, BIN 2258360 in the City of Jamestown, Chautauqua County, PIN 5761.00 (the "Project") and committed \$4,010,000 to cover 100% of the Project's total cost; and

WHEREAS, the total Project cost is now estimated at \$4,243,988, to be borne at the ratio of 80% Federal funds and 20% Non-Federal funds; and

WHEREAS, New York State's anticipated reimbursement to the County is 75% of the Non-Federal share; and

WHEREAS, the County of Chautauqua desires to advance the Project by making a commitment of 100% of the revised Non-Federal Share for the Project's cost; now therefore be it

RESOLVED, That the County Legislature of the County of Chautauqua hereby approves the advancement of the above-subject Project; 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 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 D Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

D.----.----.915.0000 Fund Bal.—Assigned/Unappropriated Fund Balance \$11,700
; and it is further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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

INCREASE CAPITAL APPROPRIATION ACCOUNT:

D.5112.390.4	Contractual – County Bridge Program	\$233,988
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INCREASE CAPITAL REVENUE ACCOUNTS:

D.5112.390.R458.9002	Federal Aid--Surface Transp Program	\$187,190
D.5112.390.R358.9003	New York State Aid--Marchiselli Funds	\$ 35,098
	Total	\$222,288

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

NLB 2/6/18
ABC 2/6/18
SMA 2/6/18
KMD 2/7/18
KLC 2/8/17
GMB 2/14/18

TITLE: Authorize Lease Agreement with Celebration Hall, LLC for Office Space for the Public Defender Office - Family Court Division

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the County of Chautauqua desires to lease from Celebration Hall, LLC approximately 1,568 square feet of office space on the first floor of the Chautauqua Municipal Building, 2 Academy Street, Mayville, County of Chautauqua, State of New York for use by the Chautauqua County Public Defender's Office - Family Court Division; and

WHEREAS, negotiations have been undertaken to obtain a lease agreement mutually beneficial to the County of Chautauqua and Celebration Hall, LLC; therefore, be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a lease agreement with Celebration Hall, LLC upon the following terms and conditions:

- 1) Premises. Approximately 1,568 square feet of office space on the first floor of the Chautauqua Municipal Building.
- 2) Term. March 1, 2018 through February 28, 2023.
- 3) Rent. \$1,100.00 per month for approximately 1,568 square feet.
- 4) Utilities. Landlord shall be responsible for all utilities, including heat and electric. County is responsible for the cost of the phone and computer lines, including installation fees.
- 5) Other. As negotiated by the County Executive; and be it further

RESOLVED, That the County may renew this lease for up to one (1) additional term of five (5) years, subject to the same terms and conditions.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 2/8/18 KMD 2/8/18 KLC 2/9/18 GMB 2-13-18

TITLE: Approving SEQRA Determination for New Fuel Farm at Dunkirk Airport

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George W. Borrello:

WHEREAS, a new above-ground fuel farm has been proposed for the Dunkirk Airport to replace the existing in-ground system; and

WHEREAS, DPF and the County Law Department have reviewed the proposed project and determined the project's status as an "Unlisted" action under the State Environmental Quality Review Act (SEQRA), and a Short Environmental Assessment Form ("SEAF") has been prepared for the project;

WHEREAS, this Legislature has reviewed the SEAF, a copy of which is on file with the Clerk of the County Legislature; therefore be it

RESOLVED, in consideration of the SEAF, 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 actions will not result in any significant adverse environmental impacts; and be it further

RESOLVED, That the County Executive be and hereby is authorized as may be required to execute a "Negative Declaration" for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

SMA 2/8/18 KMD 2/8/18 KLC 2/9/18 GMB 2-13-18

TITLE: A Resolution Authorizing the Issuance of \$650,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Design and Construction of a Fuel Farm at the Dunkirk Airport in and for Said County

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

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

WHEREAS, it is now desired to authorize the financing and undertaking of such capital project; now therefore

BE IT RESOLVED, by the affirmative vote of not less than two-thirds of the total voting strength of the County Legislature of the County of Chautauqua, New York, as follows:

Section 1. The design and construction of a fuel farm at the Dunkirk Airport in the Town of Sheridan, in and for the County of Chautauqua, New York, as well as incidental costs and expenses in connection therewith, is hereby authorized at a maximum estimated cost of \$650,000.

Section 2. It is hereby determined that the plan for the financing of the aforesaid maximum estimated cost is by the issuance of \$650,000 bonds of said County hereby authorized to be issued therefore 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 ten years, pursuant to subdivision 14 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 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 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.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

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 bonds 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 bonds becoming due and payable in such year. To the extent not paid from 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 bonds 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 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 object or purpose described herein.

Section 10. This resolution, which takes effect immediately, shall be published in summary form in the official newspapers 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.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

SMA 2/7/18 KMD 2/8/18 KLC 2/8/18 GMB 2/14/18

TITLE: Authorizing the Sale of Curtis Street Residential Property Owned by JCC

BY: Public Facilities and Audit & Control Committees:

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, Jamestown Community College (JCC) currently owns 50 acres of property located on the Jamestown campus at 2835 Curtis Street Extension (the "Property") in the Town of Ellicott, and designated on the Chautauqua County Tax Map as Tax Parcel No. 370.00-1-19; and

WHEREAS, the Property includes a small pole barn and single family home of approximately 5,131 square feet which was utilized by JCC as office space but is not practical for College use now or in the future; and

WHEREAS, the sale of a portion of the Property consisting of the pole barn, single family home, and 8 acres of land adjacent to said buildings on the Property provides the opportunity to reduce operating costs of the College; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby finds that the pole barn, single family residence, and 8 acres of land adjacent to said buildings on the Property are no longer useful or required for community college purposes by JCC; and be it further

RESOLVED, That the Chautauqua County Legislature authorizes JCC to effectuate the divestment of the pole barn, single family residence, and 8 acres of land at a sales price of not less than \$300,000.00, not including closing and other related costs, with the foregoing dependent on SUNY Board of Trustee approval

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date