

CHAUTAUQUA COUNTY LEGISLATURE

5/23/18

Chautauqua County Legislature

6:30 P.M.

CALL TO ORDER

ROLL CALL

PRAYER BY LEGISLATOR PAVLOCK

PLEDGE OF ALLEGIANCE

APPROVAL OF THE MINUTES FOR 4/25/18

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 4/25/18

FISHING ESSAY AWARDS

2 GRAND PRIZE WINNERS

By

Sports Fishery Advisory Board

Chairman Wendel

County Executive Borrello

COMMUNICATIONS:

1. Letter – County Executive – Re: Apptmt. to Youth Board
 2. Quarterly Report – Small Business Development Center – 1/1-3/31/18
 3. Letter – NYS Dept. of State – Ack. Receipt of LL's 5, 6, 7, and 8-18
 4. Letter – Assemblyman Goodell – Ack. Receipt of Motion 4-18
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LOCAL LAW:

LOCAL LAW INTRO. 8-18 – A LOCAL LAW AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES – (RE: CHAIRMAN OF NORTH COUNTY INDUSTRIAL WATER DISTRICT NO. 1 AND CHAIRMAN OF NORTH COUNTY INDUSTRIAL SEWER DISTRICT NO. 1)

RESOLUTIONS:

124-18 Confirm Appointments – Chautauqua County Youth Board

125-18 Confirm User Charges – North Chautauqua Lake Sewer District

126-18 Adjust CARTS 2018 Budget to Reflect Additional Funding

127-18 Authorization for Funding to Replace the Fabric Cover on the Charlotte Salt Shed

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- 128-18 Adjust D5112 – Capital Improvement Accounts**
- 129-18 Authorization of Funding to Replace Boiler at the Mayville Municipal Bldg.**
- 130-18 Amend 2017 Budget for Year End Reconciliations – Final Adjustments**
- 131-18 Resolution in Support of Chaut. County Veterans Memorial State Highway Designations**
- 132-18 Accept William G. Pomeroy Foundation Grant to Provide Historical Marker for Women’s Rights Convention**
- 133-18 Distribution of Mortgage Taxes**
- 134-18 Approving Consolidation of Vital Statistics Registrar Districts Between Town of Portland and Village of Brocton**
- 135-18 Authorize Agreement w/ Village of Mayville for Enhanced Police Protection Services**
- 136-18 Authorize Agreement w/ Town of Hanover for Enhance Police Protection Services**
- 137-18 Authorize Agreement w/ Village of Silver Creek for Court Security Detail**
- 138-18 Authorize Execution of NYS Division of Criminal Justice Services Grant – Southern Tier Regional Drug Task Force FY17**
- 139-18 Authorize Agreement w/ Pine Valley Central School District for Provisions of Space for Sheriff’s Sub-Station**
- 140-18 Authorize Acceptance of the Gun Involved Violence Elimination Grant (“GIVE”) Funds for 2018-2019**
- 141-18 Authorize Acceptance of the 2018 Stop Violence Against Women (VAWA) Grant Program**
- 142-18 Authorize Acceptance of the Crimes Against Revenue Program Grant (“CARP”) for Funds for 2018**
- 143-18 Amend 2018 Budget Appropriations and Revenues Associated with Juvenile Services Team (JST)**
- 144-18 Authorize Capital Project for Purchase of Microsoft Surface Pros**
- 145-18 To Accept Increased Cancer Services Grant Funding**

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)

LOCAL LAW
INTRODUCTORY NO. 8-18
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT
SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES
(RE: CHAIRMAN OF NORTH COUNTY INDUSTRIAL WATER DISTRICT NO. 1 AND
CHAIRMAN OF NORTH COUNTY INDUSTRIAL SEWER DISTRICT NO. 1)

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

Section 1. Purpose.

Pursuant to the adopted 2018 County budget, separate appropriation amounts are allocated to the personal services accounts of the North County Industrial Water District No. 1 (\$4,500), and the North County Industrial Sewer District No. 1 (\$1,500). The personal services appropriations of the two districts fund the annual designated flat salaries of each district's chairman. However, the existing County management salary plan still refers to a single combined title for the chairs of the two districts. It is therefore appropriate that the combined title be separated into two individual titles (one for each district), even though the two districts' chairman positions have traditionally been held by the same person.

Section 2. Amendments.

Local Law 7-90 of the County of Chautauqua, providing for a management salary plan for County officers and employees, is amended as follows:

a. The non-scheduled title of "Chairman, North Industrial Water District #1 and Sewer District #1," is eliminated from the management salary plan.

b. The following non-scheduled titles shall be added to the management salary plan at the designated annual flat salaries listed below, and the annual flat salary shall be a cap on the amount which may be paid for a full year of service:

Chairman, North County Industrial Water District No. 1 – \$4,500
Chairman, North County Industrial Sewer District No. 1 – \$1,500

Section 3. Effective Date.

This Local Law shall become effective upon filing with the Secretary of State.

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RES. NO. 124-18

Confirm 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 appointments for action by the Chautauqua County Legislature; therefore be it

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

Kathleen Geise
121 Hamlet St.
Fredonia, N.Y. 14063
Term Expires: 12/31/20

Angela Pucciarelli
8 Middlesex Dr.
Fredonia, N.Y. 14063
Term Expires: 12/31/20

Signed: Wilfong, O'Connell, Whitford, Pavlock

RES. NO. 125-18

Confirm User Charges – North Chautauqua Lake Sewer District

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Board of Directors of the North Chautauqua Lake Sewer District, the Administrative Body of the North Chautauqua Lake Sewer District, has, pursuant to Section 266 of the County Law, established a scale of charges for the collection, conveyance, treatment and disposal of sewage for the North Chautauqua Lake Sewer District, and

WHEREAS, such charges must be confirmed by the Chautauqua County Legislature before they become effective, now therefore be it

RESOLVED, That the *Charges by the North Chautauqua Lake Sewer District*, adopted by the Board of Directors of the North Chautauqua Lake Sewer District as the Administrative Body of such Sewer District and included below, are hereby confirmed.

Charges by the North Chautauqua Lake Sewer District

SECTION I

Pursuant to Section 266 of the County Law, there is hereby established and imposed a scale of charges for the collection, conveyance, treatment, and disposal of sewage upon real property served by public sewers of the North Chautauqua Lake Sewer District.

SECTION II

DEFINITIONS

As used herein, the following terms shall mean and include:

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A. *District:* The North Chautauqua Lake Sewer District, a county sewer district of the County of Chautauqua organized and existing pursuant to Article 5-A of the County Law of the State of New York.

B. *Administrative Head:* The Administrative Head or body of the North Chautauqua Lake Sewer District as established by the Chautauqua County Legislature under Article 5-A of the County Law of the State of New York.

C. *User:* The assessed owner of a parcel of property connected or required by applicable law to be connected to a sewer owned by the District.

SECTION III

UNITS PER PARCEL

The number of units attributable to each parcel of property served by public sewers of the District shall be determined as follows:

A. A single family dwelling which generates wastewater associated with normal daily activity produced in households, which may include wastewater from bathrooms, lavatories, toilets, kitchens and laundries shall consist of one unit.

B. Each separate dwelling unit within one building shall consist of one unit.

C. Each site used or improved by means of a concrete pad or otherwise for the location of a mobile home or similar movable structure and having a sewer line extended to said site shall consist of one unit regardless of the presence of a mobile home or similar movable structure upon said prepared site.

D. The unit designation of all other uses shall, at minimum be based on volume and consist of a number rounded to the nearest tenth of a unit, determined by dividing the actual or estimated quarterly water use in gallons by 17,500 gallons provided, however, that each such use shall consist of a minimum of one unit. If quarterly water use is estimated, such estimate shall be based upon the actual quarterly water meter reading of the municipality or water district providing water service to the parcel ending sometime within the three months immediately preceding the billing date as stated in Section V herein, if such reading is available from the municipality at the time of the billing date. The District shall cause water meters to be read periodically as needed for the administration of the scale of charges established herein for all uses embraced by this paragraph. Water used in a manner so that it will not enter the sanitary sewer in conformity with the regulations of the District need not be included in determining actual water use provided it is separately metered. If water use is not metered at the time of the enactment of this ordinance and is not part of a public water distribution system, a water meter shall be installed and maintained by the District and the District shall make a separate charge for the actual cost of the meter and its installation listed separately on a subsequent quarterly sewer charge bill.

E. In the event any user's discharge to the treatment works is of such a strength, such a volume, at such a delivery flow rate or toxic to increase the cost of operation and maintenance of the treatment works, the unit allocation for that user shall be increased (beyond that determined strictly by wastewater volume) to insure a proportional distribution of operation and maintenance cost to each user or user class. At minimum, the District can utilize criteria identified in the Local Law Regulating Sewer Use, Chautauqua County Local Law 6-94 to justify increasing a unit allocation.

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SECTION IV

SCALE OF CHARGES

Pursuant to Section 266 of the County Law, charges for collection, conveyance, treatment and disposal of sewage shall be as follows.

REGION 1, which includes all properties
whose waste is treated by the
North Chautauqua Lake Sewer District: \$135.00 per unit per quarter.

REGION 2, which includes all properties
whose waste is treated by the
Chautauqua Utility District: \$185.00 per unit per quarter.

SECTION V

BILLING

A. The Administrative Head shall quarterly fix the amount to be charged to each parcel served by public sewers of the District under Section 266 of the County Law by multiplying the number of units attributable to each parcel of property under Section III hereof by the charge per unit set forth in Section IV hereof for quarters ending on the last day of February, May, August and November, and shall mail a bill for such charge to the assessed owner of each parcel of real property so charged on or about the tenth day of the following month, which bill shall be due within thirty (30) days of the date when it is mailed; a penalty of ten percent (10%) of the amount of the bill shall be added to any bill which remains unpaid thirty (30) days after the date on which it was mailed.

B. The Finance Director of the County of Chautauqua shall collect all charges and penalties established hereunder in accordance with Section 266 of the County Law.

SECTION VI

APPEALS

In accordance with Section 266 of the County Law and Resolution 19-79 of the Chautauqua County Legislature, the following procedure is established for taking appeals from the rate fixing determinations of the Administrative Head of the District:

A. All such appeals shall be in writing and mailed within forty-five (45) days of the date of mailing of the bill from which the appeal is taken signed by the property owner appealing from the rate fixing determination, shall be addressed to the North Chautauqua Lake Sewer District, 50 Clark Street, P. O. Box 167, Mayville, NY 14757-0167 by Certified Mail, Return Receipt Requested showing the party to whom delivery was made, shall state concisely the reason why the property owner believes said determination is inequitable and not in accordance with Section 266 of the County Law, and shall state the address to which notices to the property owner shall be sent.

B. Within forty-five (45) days of the receipt of the appeal, the Board shall respond by either notifying the property owner of its agreement with the result requested or by notifying the property owner in writing of its reasons for denying the appeal. In the latter case, the Board shall transmit a copy of the appeal and the response to it to the Chairman of the Chautauqua County Legislature.

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C. The Chairman of the Chautauqua County Legislature shall appoint, within thirty (30) days of receipt of transmittal of the appeal papers, a three member committee to review the appeal and respond and to make a written recommendation to the County Legislature. The Chairman of the Legislature, in his discretion, may appoint either a standing committee to hear such appeals or may appoint *ad hoc* committees for particular appeals. The Chairman of the Legislature shall transmit copies of the appeal and response to members of the committee.

D. Within forty-five (45) days of receipt of the appeal papers, the committee shall submit a proposed resolution to the Chautauqua County Legislature for resolution and decision of the appeal. If the committee shall desire to take testimony or gather additional information concerning the appeal, it shall notify the property owner and the Board by mailing, at least seven (7) days before the date fixed for these purposes, specifying the area and means of the intended inquiry.

E. The Clerk of the Chautauqua County Legislature shall notify the property owner and the Board of the decision of the appeal within ten (10) days of the adoption of a resolution deciding the appeal.

F. An appeal by a property owner shall not suspend the obligation to pay charges under Section 266 or penalties for late payment or non-payment. The District shall cause to be refunded, within thirty (30) days of its receipt of the decision of the Legislature, any amount of overpayment and penalty as determined by the decision of the appeal by the Chautauqua County Legislature.

G. All notices, except the billing of the District made under this appeal procedure shall be by Certified Mail, Return Receipt Requested showing the party to whom delivery was made and shall be complete upon mailing to the North Chautauqua Lake Sewer District, 50 Clark Street, P. O. Box 167, Mayville, NY 14757-0167 or the property owner at the address stated in his appeal.

SECTION VII
SEVERABILITY

If any clause, sentence, paragraph, subdivision, section or other part of this resolution shall be adjusted by any court of competent jurisdiction to be invalid, such judgment, decree or order shall not affect, impair or invalidate the remainder thereof, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, section or other part thereof, directly involved in the controversy in which such judgment or order shall have been rendered, and to this end the provisions of each section of this resolution are hereby declared to be severable.

SECTION VIII
EFFECTIVE DATE AND REPEALER

This law shall be effective June 1, 2018. The law confirmed by Resolution 155-13 of the Chautauqua County Legislature shall be repealed prospectively as of May 31, 2018.

THE ABOVE LANGUAGE WAS DULY ADOPTED BY THE BOARD OF DIRECTORS OF THE NORTH CHAUTAUQUA LAKE SEWER DISTRICT

On the 17th Day of April, 2018, after the holding of a Public Hearing as noticed in the attached AFFIDAVITS OF PUBLICATION (County Law §266, and County Legislature Resolution 18-79 as amended by Resolution 37-18).

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

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RES. NO. 126-18

Adjust CARTS 2018 Budget to Reflect Additional Funding

By Public Facilities and Audit & Control Committees

At the Request of County Executive George M. Borrello:

WHEREAS, New York State has recognized the need for additional funds to support rural transportation and, under the Rural Transit Assistance program, has appropriated additional funds for Chautauqua County in the amount of \$136,246; and

WHEREAS, it is appropriate to accept these grant funds to provide rural transportation services in the County; and

WHEREAS, no revenue for Rural Transit Assistance was included in the 2018 operating budget, and

WHEREAS, expenditures associated with the execution of these grants were included in the 2018 operating budget, and

WHEREAS, the budget should be amended to conform to these adjustments; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to execute all necessary documentation on behalf of Chautauqua County with New York State in connection with this funding; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

DECREASE THE USE OF FUND BALANCE:

A.-----917.0000 Unassigned Fund Balance – Unassigned Fund Balance \$136,246

; and be it further

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

INCREASE REVENUE ACCOUNT:

A.5630.5625.R358.9000 NYS Aid – Transportation \$136,246

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

RES. NO. 127-18

Authorization for Funding to Replace the Fabric Cover on the Charlotte Salt Shed

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Department of Public Facilities has several fabric-covered salt sheds located throughout the County; and

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WHEREAS, the fabric cover on the salt shed located at 7059 Rood Road in the Town of Charlotte has become worn and ripped during the recent winter months and is no longer providing proper coverage for the salt storage; and

WHEREAS, it is vital to the winter road deicing operations that the salt is stored in a dry environment, and the cover needs to be replaced; and

WHEREAS, the Department of Public Facilities obtained estimates from a vendor for the replacement of the fabric cover; and

WHEREAS, the Department of Public Facilities completed a Capital Project Request Form to request funding for a project to replace the fabric cover and submitted it to the Chautauqua County Planning Board for review; therefore be it

RESOLVED, That the Legislature for the County of Chautauqua approves the use of capital reserve funding to establish a budget for the replacement of the fabric cover at the Charlotte Salt Shed; and it is further

RESOLVED, That Reserve for Capital is appropriated at follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000 Fund Balance—Reserve for Capital \$ 18,039

;and it is further

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

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfer—Interfund Transfers \$18,039

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.5130.25004.4 Contractual—Charlotte Salt Shed (2018) \$18,039

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:

H.5130.25004.R503.1000 Interfund Transfers – Interfund Transfer \$18,039

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

RES. NO. 128-18

Adjust D5112 – Capital Improvement Accounts

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County's transportation system, which includes roads and bridges, is essential to everyone and it contributes to economic development, job creation and to quality of life; and

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WHEREAS, proper maintenance and funding are essential to keeping our roads and bridges in good repair; and

WHEREAS, the Chautauqua County capital budget includes \$3,738,198 in CHIPS funding for capital improvement; and

WHEREAS, New York State has adjusted the 2018-2019 CHIPS appropriations for Chautauqua County to \$3,735,030.14; and

WHEREAS, the Chautauqua County capital budget includes \$853,089 in PAVE-NY funding for capital improvement; and

WHEREAS, New York State has adjusted the 2018-2019 PAVE-NY appropriations for Chautauqua County to \$852,557.80; and

WHEREAS, New York State has recognized the need for additional funds due to extreme winter weather and has appropriated additional funds under the EWR program in the amount of \$547,296.36; and

WHEREAS, the County's budget should be amended to conform to these adjustments to funding; now therefore be it

RESOLVED, That the County Executive be and hereby is authorized to execute all necessary documents on behalf of Chautauqua County with New York State, in connection with this funding; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

D.5112.391.4	Contractual – Highway Improvements	\$543,596
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DECREASE REVENUE ACCOUNT:

D.5112.----.R350.PAVE	NYS Aid – NYS Aid PAVE NY	\$532
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DECREASE REVENUE ACCOUNT:

D.5112.----.R350.1000	NYS Aid – NYS Aid CHIPS	\$3,168
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INCREASE REVENUE ACCOUNT

D.5112.----.R350.EWR	NYS Aid--Extreme Weather Recovery	\$547,296
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Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould, Chagnon, Muldowney

RES. NO. 129-18

Authorization of Funding to Replace Boiler at the Mayville Municipal Building

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, Chautauqua County owns the Family Court portion of the Mayville Municipal Building (MMB) located at 2 Academy Street in the Village of Mayville; and

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WHEREAS, the heat provided to the Family Court space is supplied by a redundant dual Thermal Solutions boiler system contained in an Aaon Roof Top Enclosure at the MMB; and

WHEREAS, one of the boilers developed several issues at the onset of the last heating season, including a leak in the heat exchanger and a malfunctioning burner assembly, and is currently not operational; and

WHEREAS, the dual boilers are provided for redundancy in the heating, and if the other working boiler goes down for any reason the space would be without heating; and

WHEREAS, it is not recommended to go through another heating season without the redundancy; and

WHEREAS, the Department of Public Facilities obtained estimates from a contractor for both the repair and replacement of the boiler and has determined that the replacement option is the most advantageous; and

WHEREAS, the repair would not include a warranty/guarantee period on the longevity of repair, so it is recommended to have a new replacement boiler installed; therefore be it

RESOLVED, That the Legislature for the County of Chautauqua approves the use of capital reserve funding to establish a budget for the boiler replacement to allow the Department of Public Facilities to proceed with the boiler replacement; and it is further

RESOLVED, That Reserve for Capital is appropriated at follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.878.0000	Fund Balance--Reserve for Capital	\$57,000
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;and it is further

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

INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9	Interfund Transfer—Interfund Transfers	\$57,000
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ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.1620.25005.4	Contractual—MMB Boiler Replacement (2018)	\$57,000
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ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNT:

H.1620.25005.R503.1000	Interfund Transfer – Interfund Transfer	\$57,000
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Signed: Hemmer, Nazzaro, Scudder, Wilfong, Chagnon, Muldowney, Gould

RES. NO. 130-18

Amend 2017 Budget for Year End Reconciliations – Final Adjustments

By Public Facilities and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

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WHEREAS, some department expenses exceeded initial budgetary estimates, as well as some appropriations had 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:

EL.8160.7000.8	Employee Benefits - Environment-Recycling	\$5,166
EL.8189.----.8	Employee Benefits - Oth Env-House Haz Waste	\$94
ESN.8110.8112.8	Employee Benefits - Administration-Administration	\$3,150
	Employee Benefits - Sewage Treatment-Sewage	
ESN.8130.8132.8	Treatment	\$430
ESS.8110.----.8	Employee Benefits - Administration	<u>\$9,012</u>
	- Total	\$17,852

DECREASE APPROPRIATION ACCOUNTS:

EL.8160.1000.8	Employee Benefits - Environment-Landfill	\$5,260
ESN.8120.8122.2	Equipment - Sanitary Sewers-Sanitary Sewers	\$3,580
ESS.8110.----.4	Contractual - Administration	<u>\$9,012</u>
	- Total	\$17,852

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

RES. NO. 131-18

Resolution in Support of Chautauqua County Veterans Memorial State Highway Designations

By Public Facilities Committee:

At the Request of Legislators Lisa Vanstrom, David Wilfong, John Davis, Terry Niebel, Mark Odell, Christine Starks, Elisabeth Rankin. Robert Bankoski, Frank Gould, Chairman Paul Wendel, Chuck Nazzaro, John Hemmer, and Robert Scudder:

WHEREAS, Private Charles S. Cooper, Jr. lost his life during combat operations while serving in Iraq in 2005; and

WHEREAS, Sergeant Jonathan A. Gollnitz lost his life during combat operations while serving in Afghanistan in 2012; and

WHEREAS, Sergeant James C. Matteson lost his life during combat operations while serving in Iraq in 2004; and

WHEREAS, Lance Corporal Aaron M. Swanson lost his life during combat operations in Afghanistan in 2011; and

WHEREAS, Staff Sergeant David W. Textor lost his life during combat operations in Iraq in 2008; and

WHEREAS, these men embody the type of heroic soldiers who dedicated their lives to the cause of freedom for our great nation, making the ultimate sacrifice; therefore be it

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RESOLVED, That the Chautauqua County Legislature supports the State of New York's designation of portions of State Highways within Chautauqua County in memory of the following Gold Star Heroes:

- Private Charles S. Cooper, Jr. – NYS Route 60 (North in the City of Jamestown, running by Lakeview Cemetery)
- Sergeant Jonathan A. Gollnitz – NYS Route 20 (Village of Fredonia)
- Sergeant James C. Matteson – NYS Route 394 (West Ellicott near Celoron)
- Lance Corporal Aaron M. Swanson – NYS Route 394 (Lakewood)
- Staff Sergeant David W. Textor – NYS Route 394 (Between Kennedy and Falconer);

and be it further

RESOLVED, That the Clerk of the County Legislature is directed to send a copy of this resolution to State Senator Catharine Young and Assemblyman Andrew Goodell.

Signed: Hemmer, Nazzaro, Scudder, Wilfong, Gould

RES. NO. 132-18

Accept William G. Pomeroy Foundation Grant to Provide Historical Marker for Women’s Rights Convention

By Administrative Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello and Legislators Elisabeth Rankin, Christine Starks and Lisa Vanstrom:

WHEREAS, the County Historian has successfully applied through the William G. Pomeroy Foundation for grant funds through the Historical Marker Program for an historical marker in the amount of \$1,066.00 to commemorate the first NYS Women’s Rights Convention which was held at the Chautauqua County courthouse on December 24, 1854, and

WHEREAS, the County Historian will use the grant proceeds to pay for the marker, pole, and shipping, covering the entire cost of the historical marker, and

WHEREAS, the historical marker will be placed in front of the County Courthouse where it will promote the County’s role in the Women’s Suffrage Movement and will enhance heritage tourism, therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute the necessary agreements with the William G. Pomeroy Foundation in the amount of \$1,066.00, and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.7510.----.4	Contractual—Historian	\$1,066
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INCREASE REVENUE ACCOUNT:

A.7510.----.R270.5HIS	Miscellaneous—Gifts & Donations: Histor	\$1,066
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Signed: Scudder, Davis, Muldowney, Starks, Chagnon, Nazzaro, Gould

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RES. NO. 133-18

Distribution of Mortgage Taxes

By Administrative Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

RESOLVED, That the Clerk of the County Legislature of Chautauqua County be and hereby is authorized and directed to compute the amount of Mortgage Tax Monies due the various municipalities under Section 261 of the Tax Law and to draw the warrant or order on the Director of Finance for the distribution to said municipalities of all monies due pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

October 1, 2017 through March 31, 2018

TOWNS		CITIES	
Arkwright	8,130.97	Dunkirk	18,032.04
Busti	65,158.95	Jamestown	100,917.35
Carroll	12,752.19		
Charlotte	3,863.21	TOTAL	\$118,949.39
Chautauqua	53,040.73		
Cherry Creek	2,408.50		
Clymer	4,279.26		
Dunkirk	9,770.34		
Ellery	47,925.35	VILLAGES	
Ellicott	89,631.64	Bemus Point	3,213.85
Ellington	5,096.97	Brocton	1,239.27
French Creek	6,554.70	Cassadaga	991.52
Gerry	17,362.77	Celoron	5,288.88
Hanover	35,663.04	Falconer	10,539.61
Harmony	12,091.93	Fredonia	17,393.42
Kiantone	9,279.46	Lakewood	19,360.73
Mina	20,354.91	Mayville	4,191.41
North Harmony	13,559.98	Panama	1,492.98
Poland	7,542.40	Sherman	1,552.08
Pomfret	33,735.52	Silver Creek	4,136.72
Portland	13,687.13	Sinclairville	1,106.14
Ripley	8,323.01	Westfield	9,971.49
Sheridan	12,540.43	TOTAL	\$80,478.10
Sherman	9,017.02		
Stockton	5,474.34		
Villanova	4,630.08		

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Westfield 27,215.99

TOTAL \$539,090.82

GRAND TOTAL \$738,518.31

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

RES. NO. 134-18

Approving Consolidation of Vital Statistics Registrar Districts Between Town of Portland and Village of Brocton

By Administrative Services Committee:

At the Request of County Executive George M. Borrello:

WHEREAS, the Town of Portland adopted a resolution on April 18, 2018 approving the consolidation of the Town of Portland and the Village of Brocton into one primary Vital Statistics Registration District; and

WHEREAS, the Village of Brocton also adopted a resolution on April 18, 2018 approving the consolidation; and

WHEREAS, Section 4120 of the Public Health Law requires the approval of the legislative body of the county where such vital statistics districts are located; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby approves the consolidation of the Town of Portland and the Village of Brocton Vital Statistics Registration Districts into one District (669); and be it further

RESOLVED, That certified copies be forwarded to the Town of Portland and the Village of Brocton.

Signed: Scudder, Starks, Muldowney, Davis

RES. NO. 135-18

Authorize Agreement with Village of Mayville for Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Village of Mayville has requested the Chautauqua County Office of the Sheriff provide enhanced police services within the geographic boundaries of the Village during the 2018 calendar year; and

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WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with the Village of Mayville for the period of June 16, 2018 through September 4, 2018 for an estimated cost not to exceed \$10,000.00, based on an hourly rate of at least \$39.58 and a holiday hourly rate of at least \$49.79; and

WHEREAS, this contract is included in the 2018 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the Village of Mayville for enhanced police services as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 136-18

Authorize Agreement with Town of Hanover for Enhanced Police Protection Services

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Town of Hanover has requested the Chautauqua County Office of the Sheriff provide enhanced police services within the geographic boundaries of the Township during the 2018 calendar year; and

WHEREAS, the Chautauqua County Sheriff has negotiated a tentative agreement with the Town of Hanover for additional patrols in the Sunset Bay area for the period of May 26, 2018 through September 4, 2018 for an estimated cost not to exceed \$8,000.00 based on an hourly rate of at least \$39.58 and a holiday hourly rate of at least \$49.79; and

WHEREAS, this contract is included in the 2018 Budget so no budget amendments are needed; now therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the Town of Hanover for enhanced police services as set forth above with revenues to be credited to account A.3110.R226.0000.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 137-18

Authorize Agreement with Village of Silver Creek for Court Security Detail

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

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WHEREAS, the Village of Silver Creek has requested that the Chautauqua County Office of the Sheriff provide part-time deputy sheriffs for court security detail on designated court nights; and

WHEREAS, the County Sheriff has negotiated a tentative agreement with the Village of Silver Creek for the period of May 1, 2018 through December 31, 2018, for an estimated cost not to exceed \$3,500.00, based on an hourly rate of at least \$29.49; now therefore be it

RESOLVED, That the County Executive is authorized and empowered to execute an agreement with the Village of Silver Creek for court security as set forth above, with revenues to be credited to account A.1162.1110.R226.000.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 138-18

Authorize Execution of New York State Division of Criminal Justice Services Grant – Southern Tier Regional Drug Task Force FY17

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Chautauqua County Office of the Sheriff received notice the New York State Division of Criminal Justice Services approved the application submitted for Narcotic Control; and

WHEREAS, the State of New York will provide funding in the amount of \$45,000.00 for contract T102807 with no local funds, for contract period from January 1, 2018 to December 31, 2018; and

WHEREAS, this grant is included in the 2018 Budget so no budget amendments are needed; now therefore be it

RESOLVED, The County Executive is authorized to execute an agreement to secure the grant funding with the New York State Division of Criminal Justice Services.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 139-18

Authorize Agreement with Pine Valley Central School District for Provision of Space for Sheriff's Sub-Station

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

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WHEREAS, the Sheriff desires to have access to space to serve as a sub-station at the Pine Valley Central School District; and

WHEREAS, the Pine Valley Central School District can accommodate the Sheriff's request by providing suitable space within the Junior/Senior High School Complex located at 7827 Route 83 in South Dayton; and

WHEREAS, the Sheriff has negotiated a tentative agreement with the Pine Valley Central School District for the use of space for a sub-station with no rental fee to the County; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute an agreement with the Pine Valley Central School District for the purpose of providing space for a Sheriff's sub-station.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 140-18

Authorize Acceptance of the Gun Involved Violence Elimination Grant ("GIVE") Funds for 2018-2019

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the New York State Division of Criminal Justice Services (DCJS) has awarded \$185,075 to the multi-agency "GIVE" Task Force to reduce violent crimes in the primary jurisdictions of the County of Chautauqua and the City of Jamestown; and

WHEREAS, the funded "GIVE" Task Force partners consist of the City of Jamestown Police Department, and the Chautauqua County Agencies of the District Attorney, Sheriff's Office and Probation Office; and

WHEREAS, the City of Jamestown Police Department has been awarded \$69,721 of the total "GIVE" funding and will sign and administer a separate contract with the New York State Division of Criminal Justice Services (DCJS) for said funding; and

WHEREAS, the Chautauqua County Agencies consisting of the office of the District Attorney (\$79,378.00), the office of the Chautauqua County Sheriff (\$26,247.00) and the office of Probation (\$9,729.00) will share the balance of such funds; and

WHEREAS, the office of the District Attorney, Sheriff and Probation have included a portion of these grant funds in the 2018 budget with the balance to be included in the 2019 budget; now, therefore be it

RESOLVED, That the County of Chautauqua accepts the grant and authorizes the County Executive to execute the Gun Involved Violence Elimination Grant ("GIVE") contract with the New York State Division of Criminal Justice Services (DCJS) in the amount of \$185,075 for the term of July 1, 2018 to June 30, 2019.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

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RES. NO. 141-18

Authorize Acceptance of the 2018 Stop Violence Against Women (VAWA) Grant Program

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the Offices of the District Attorney and Sheriff have been awarded a grant in the amount of \$66,750.00 from the New York State Division of Criminal Justice Services 2018 Stop Violence Against Women (VAWA) Grant Program to be used from the period of January 1, 2018 to December 31, 2018; and

WHEREAS, the local match requirement will be provided by third party and in-kind services; and

WHEREAS, such funds are to be utilized for an Assistant District Attorney designated as a Special Victim's Prosecutor, a part-time Deputy Sheriff, and a Spanish Interpreter/Victim Advocate/Cultural Liaison; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to execute a grant agreement with the New York State Division of Criminal Justice Services (DCJS) to accept a Stop Violence Against Women (VAWA) grant; and be it further

RESOLVED, That it is the intent of the County Legislature that any staff positions created and funded pursuant to this program will not be continued should the grant not be re-funded; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.1165.----.2	Equipment-District Attorney	\$12,800
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DECREASE APPROPRIATION ACCOUNT:

A.1165.----.4	Contractual-District Attorney	\$12,800
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Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 142-18

Authorize Acceptance of the Crimes Against Revenue Program Grant ("CARP") for Funds for 2018

By Public Safety and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the District Attorney's Office has applied for a grant in the amount of \$80,400 from the New York State Department of Taxation and Finance pursuant to its Crimes Against Revenue Program for the period of January 1, 2018 to December 31, 2018; and

WHEREAS, such funds are to be utilized to develop and implement an effective enforcement strategy ("strategic plan") in collaboration with the State Department of Taxation

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and Finance (DTF) and other governmental agencies, as appropriate, in order to detect, investigate, prosecute and deter revenue crimes; and

WHEREAS, the revenues and expenditures associated with this grant are already included in the 2018 adopted budget so no budget amendments are necessary; therefore, be it

RESOLVED, That the County of Chautauqua accepts this State grant to provide additional resources to the Office of the District Attorney to detect, investigate, prosecute and deter revenue crime; and be it further

RESOLVED, That the County Executive be and hereby is authorized and directed to execute necessary agreements with the State of New York to obtain these funds.

Signed: Vanstrom, Bankoski, Whitford, Pavlock, Chagnon, Nazzaro, Muldowney, Gould

RES. NO. 143-18

Amend 2018 Budget Appropriations and Revenues Associated with Juvenile Services Team (JST)

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

At the Request of County Executive George M. Borrello:

WHEREAS, the Department of Probation and the Department of Health and Human Services will execute a Cooperative Agreement regarding their implementation of a county-wide, co-located Juvenile Services Team (JST) ; and

WHEREAS, appropriations and revenues associated with the JST are included in the 2018 adopted Budget, but the program revenue is expected to exceed the budgeted revenue, and the allocation of appropriations and revenues will be different than originally planned; 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	\$ 19,202
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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 2018 Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.6010.----.1	Personal Services—Social Services Admin	\$197,381
A.6010.----.8	Employee Benefits—Social Services Admin	<u>\$106,465</u>
	Total	\$303,846

DECREASE APPROPRIATION ACCOUNTS:

A.3140.----.1	Personal Services—Probation	\$197,381
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A.3140.----.8	Employee Benefits— Probation		<u>\$106,465</u>
		Total	\$303,846

INCREASE REVENUE ACCOUNTS:

A.6010.----.R361.0000	New York State Aid—Social Services Admin		\$ 38,100
A.6010.----.R461.0000	Federal Aid—Social Services Admin		<u>\$163,500</u>
		Total	\$201,600

DECREASE REVENUE ACCOUNTS:

A.3140.----.R226.1000 Shared Services—Chrgs: Oth Gov-Pub Safety \$182,398
Signed: Vanstrom, Bankoski, Whitford, Pavlock, Wilfong, O’Connell, Chagnon, Gould
Nazzaro, Muldowney

RES. NO. 144-18

Authorize Capital Project for Purchase of Microsoft Surface Pros

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

WHEREAS, The Chautauqua County Department of Health and Human Services is interested in subscribing to Northwoods Consulting Partners Inc.’s (Northwoods) Traverse software for use by its Child Protective Services (CPS) Division; and

WHEREAS, Northwoods’ Traverse software has enabled other New York State Counties to increase the efficiency of their CPS workers by streamlining and improving case record keeping; and

WHEREAS, Northwoods’ Traverse software will be used in the field by CPS workers, necessitating the purchase of 60 Microsoft Surface Pros at a cost of \$1,370 each for a total of \$82,200; and

WHEREAS, this Project is eligible for State and Federal funding at a combined rate of approximately 65%; therefore be it

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

RESOLVED, That Reserve for Capital is appropriated at follows:

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

A.----.----.878.0000	Fund Balance, Reserved Fund Balance—		
	Reserve for Capital		\$ 27,662

;and it is further

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

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INCREASE APPROPRIATION ACCOUNT:

A.9950.----.9 Interfund Transfers—Interfund Transfers \$ 27,662

ESTABLISH AND INCREASE CAPITAL APPROPRIATION ACCOUNT:

H.6010.31001.4 Contractual—CPS Northwoods Software \$ 82,200

ESTABLISH AND INCREASE CAPITAL REVENUE ACCOUNTS:

H.6010.31001.R503.1000 Interfund Transfers – Interfund Transfer \$ 27,662

H.6010.31001.R368.9001 New York State Aid--Soc Svcs
Capital Funding \$ 10,307

H.6010.31001.R468.9001 Federal Aid— Soc Svcs
Capital Funding \$ 44,231

Total \$ 82,200

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

RES. NO. 145-18

To Accept Increased Cancer Services Grant Funding

By Human Services and Audit & Control Committees:

At the Request of County Executive George M. Borrello:

WHEREAS, the New York State Health Department (NYSDOH) has awarded an increase in grant funding to Chautauqua County for the Integrated Breast, Cervical and Colorectal Cancer Screening Program; and

WHEREAS, the 2018 Chautauqua County Adopted Budget included an amount for this funding, but the actual grant amount is higher than was originally budgeted; now therefore be it

RESOLVED, That the County of Chautauqua accept this additional State and Federal grant funding to support the County’s Cancer Services Program; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements with the New York State Department of Health for program funding for so long as the County Department of Health continues to be eligible for program funds; and be it further

RESOLVED, That the County Executive is hereby authorized to execute any additional documentation, amendments, or addenda necessary to effectuate County’s receipt of such funds; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into agreements with municipal entities for the provision of services for so long as the County is mandated to provide program services; and be it further

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

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INCREASE APPROPRIATION ACCOUNT:

A.4010.NURS.----.4 Contractual – Public Health Admin, Nursing \$19,647

INCREASE REVENUE ACCOUNTS:

A.4010.NURS.R340.1BSE New York State Aid –Publ Hlth:
Breast Screen \$15,647

A.4010.NURS.R440.1BSE Federal Aid – Breast Screening \$ 4,000

Total \$19,647

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