

Regular Meeting  
Chautauqua County Legislature  
Wednesday, January 23, 2019 6:30 p.m.  
Mayville, N.Y. 14757

Chairman Wendel called the meeting to order at 6:33 p.m.

Clerk Tampio called the roll and announced a quorum present. (Absent: Gould, Rankin)

MOVED by Legislator Bankoski, SECONDED by Legislator Whitford and duly carried the minutes were approved. (12/19/18 & 1/2/19)

Legislator Muldowney delivered the prayer followed by the Pledge of Allegiance

1<sup>st</sup> Privilege of the Floor

My name is Ted McCague, I live at 12 Park Lane, Lakewood, New York. Thank you Chairman Wendel for recognizing me and esteemed members of the Chautauqua County Legislature, thank you for giving me the opportunity to speak tonight. I am the Deputy Mayor of the Village of Lakewood and I'm here to urge your support for resolution 22-19, funding to assist the Village of Lakewood for stormwater project implementation and confirm prior match commitments. We have two projects that have been in the making for quite some time. Our Comprehensive Plan began with some public input in which our residents said to us that they wanted to be proactive in the community with regard to lake quality and water quality management. They wanted our community to take a leadership position in these efforts. So, in a really, marvelous example of collaboration we got together with the Town of Busti and the Chautauqua Lake and Watershed Management Alliance, we retained a professional consulting engineering company of Barton and Loguidice and they produced a master stormwater management plan for our communities. These two projects, I think it's worth at least stating, these two projects have gotten the attention of the State in terms of their grant awards. The first project, the Lowe Park project got a 75% grant from the State and the second project, our Green Street Retrofit, which is through our Chautauqua Avenue got a 90% grant for that project. I think that is really significant that the State is behind those projects to that extent. But as you all know, many villages and towns budgets are constrained. We are certainly in that boat. Projects that are of a social benefit often take a back seat to providing essential services in the community and we often find ourselves struggling to make these projects come to fruition. So, I would urge you to support resolution 22-19 tonight. I would certainly say that I appreciate our County Executive's effort and his leadership with this resolution and I thank you in advance for your support of the resolution. I think they are two great projects and we just need some help getting them done. Thank you.

Chairman Wendel: Anyone else to speak to the first privilege of the floor? Seeing no one, we'll close the first privilege of the floor.

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**VETO MESSAGES FROM COUNTY EXECUTIVE BORRELLO  
NO VETOES FROM 12/19/18 & 1/2/19**

**COMMENDATION:**

**CLYMER- SHERMAN- PANAMA  
WOLFPACK BOYS VARSITY FOOTBALL TEAM  
by  
LEGISLATORS CHAGNON & HIMELEIN**

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**COMMUNICATIONS:**

1. Letters (3) – County Executive – Re: Appointments to Various Boards
  2. Letter – County Attorney – Legal Services for County Legislature – 2019
  3. Letter – Chautauqua Foundation – Acknowledging Award for “Farm-to-Table Culinary Weekend Getaway” Project
  4. Annual Report – Cornell Cooperative Extension – 2018
  5. Bond Anticipation Note Certificate Dated December 28, 2018 - \$19,000,000
  6. Letter – NYS Dept. of State – Ack. Receipt of LL 12-18
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**RESOLUTIONS:**

**RES. NO. 5-19 Confirm Re-Appointment – Chautauqua County Ethics Board, by Administrative Services Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 6-19 Confirm Appointment & Re-Appointments – Emergency Medical Services Council, by Public Safety Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 7-19 Confirm Re-Appointment & Appointment – Chautauqua County Health Board, by Human Services Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 8-19 Confirm Re-Appointments – Chautauqua County Sports Fishery Advisory Board, by Planning & Economic Development Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 9-19 Confirming Lateral Restrictions for North Chautauqua County Water District, by Public Facilities Committee – UNANIMOUSLY ADOPTED**

**RES. NO. 10-19 Authorize Federal & State Aid Applications for the Chautauqua County Dunkirk Airport Five-Year Capital Improvement Plan (ACIP) for FY 2019-2024, by Public Facilities and Audit & Control Committees – ADOPTED w/ Legislator Scudder voting “no”**

**RES. NO. 11-19 Authorize Federal & State Aid Applications for the Chautauqua County Jamestown Airport Five-Year Capital Improvement Plan (ACIP) for FY 2019-2024, by Public Facilities and Audit & Control Committees – ADOPTED w/ Legislator Scudder voting “no”**

**RES. NO. 12-19 Authorizing Lease with Cornell Cooperative Extension for the Frank W. Bratt County Agricultural Center in the Town of Ellicott, by Public Facilities and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 13-19 Amend Capital Project Accounts**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 14-19 Authorize Agreement Between Chautauqua County and City of Dunkirk for ALS-BLS Medicare Billing**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 15-19 Authorize Acceptance of Indigent Legal Services Grant for the Period of July 1, 2017 to June 30, 2020**, by Public Safety and Audit & Control Committees

Chairman Wendel: I would just like to say I just commend our Public Defender's office. This has been a long time project of theirs and well deserving. Any other discussion?

**RES. NO. 15-19 - UNANIMOUSLY ADOPTED**

**RES. NO. 16-19 Authorize Agreement with Silver Creek Central School District for School Resource Officer**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 17-19 Authorize Agreement with Forestville Central School District for School Resource Officer**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 18-19 Authorize Agreement with Wyoming County for Inmate Housing**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 19-19 Authorize Agreement with Allegany County for Inmate Housing**, by Public Safety and Audit & Control Committees – **UNANIMOUSLY ADOPTED**

**RES. NO. 20-19 Commitment of Community Development Block Grant Program Income and Funds**, by Planning & Economic Development and Audit & Control Committees

Legislator Bankoski: I would like to make a motion to amend this resolution with the copy that is on all of our desks this evening.

Legislator Chagnon: Second.

Chairman Wendel: Everybody has a copy of the amended resolution on your desks. All those in favor of bringing the amended resolution to the floor?

*Unanimously Carried*

Chairman Wendel: Any discussion on the resolution as amended?

**RES. NO. 20-19 - UNANIMOUSLY ADOPTED** as amended

**RES. NO. 21-19 Implementing Resolution 172-18 – Commitment of Matching Funds for Grant Application to the NYSDEC Water Quality Improvement Program for Chautauqua Lake Mechanized Floating Vegetation Collection Project, by Planning & Economic Development and Audit & Control Committees – UNANIMOUSLY ADOPTED**

**RES. NO. 22-19 Funding to Assist the Village of Lakewood for Stormwater Project Implementation & Confirm Prior Match Commitments, by Planning & Economic Development and Audit & Control Committees**

Legislator Vanstrom: Mr. Chairman, I just want to state ahead of time I'm going to be voting no on this resolution this evening due to the fact that there was not a lot of clarity about what the local expense actually was when we're going to offer a zero percent loan for up to \$450,000 for up to five years. I'd like a little more tighter rein on a loan of that magnitude going for these esthetic projects. Thank you.

Legislator Wilfong: Could I ask for a roll call vote.

**RES. NO. 22-19 – R/C Vote: 13 Yes; 4 No; 2 Absent – (No: Himelein, Odell, Vanstrom, Wilfong) - ADOPTED**

**RES. NO. 23-19 Quit Claim Deed, Administrative Services and Audit & Control Committees - R/C Vote: 17 Yes; 2 Absent – UNANIMOUSLY ADOPTED**

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**MOTION:**

Proclaiming February Black History Month – **UNANIMOUSLY ADOPTED**

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**MEMORIAL:  
JOSEPH TRUSSO, JR.  
by  
LEGISLATOR CHUCK NAZZARO**

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**ANNOUNCEMENTS:**

No announcements made.

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**2<sup>nd</sup> Privilege of the Floor**

My names is Jeremy Woltz from 87 Livingston, Jamestown, New York. I was just curious with the recent publications in the Post Journal, a lot of the Legislators have expressed their opinions in the upcoming recreational legalization of marijuana and I'd be curious if there was going to be public discussion of this or a committee put together to get the opinions of the local populous.

Chairman Wendel: At this time, it hasn't been discussed any further.

Mr. Woltz: Is there any point and time that I could attempt to get involved or other people that have reached out to me to get involved to may be provide our opinions or believes on this?

Chairman Wendel: It's nothing that has gone into law.

Mr. Woltz: Correct, but it's an ongoing thing, I was just curious how to continually be involved in the discussion.

Chairman Wendel: My suggestion would be to contact your State representative because that's is where the legislation is at the current time. Senator Cathy Young or Andy Goodell would be your contact.

Mr. Woltz: I have reached out and I have touched base with them. I actually have lunch potentially with Cathy Young tomorrow but my concern is, with Chautauqua County potentially opting out of that legalization, regardless of what the State does on their side, I'm curious of what our County Legislators are doing for the people of our area.

Chairman Wendel: That hasn't been brought to us at this time. I can't comment on that. I call tell you that everyone in this body will do their due diligence before a decision is made.

Mr. Woltz: O.k., thank you.

Chairman Wendel: Anyone else to speak to the second privilege of the floor? Seeing none, I'll close the second privilege of the floor.

MOVED by Legislator Bankoski, SECONDED by Legislator Nazzaro and duly carried the meeting was adjourned. (7:00 p.m.)

Respectfully submitted and transcribed,  
Olivia Ames, Committee Secretary, Lori J. Foster, Deputy Clerk/Secretary to the Legislature