

CHAUTAUQUA COUNTY LEGISLATURE 05/26/2010

RES. NO. 110-10

Confirm Appointment – Parks Commission

By Public Facilities Committee:

At the Request of Chairman Fred C. Croscut:

WHEREAS, Chairman Croscut has submitted the following appointment for action by the Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature confirms the following appointment to the Chautauqua County Parks Commission.

Judy Hunt

(Replaces Richard VanHise)

P O Box 159

Findley Lake, NY 14736

Term Expires:

Signed: Babbage, Stewart, Barmore, Nazzaro

RES. NO. 111-10

Confirm Appointment – North Chautauqua Lake Sewer District Board

By Public Facilities Committee:

At the Request of Chairman Fred C. Croscut:

WHEREAS, the North Chautauqua Lake Sewer District Board has recommended the following appointment; therefore be it

RESOLVED, That the following individual be appointed as a member of the Board of Directors of the North Chautauqua Lake Sewer District Board:

K. Martin Hardenburg

(Replaces Michael P. McCoy)

86 E. Chautauqua Street

Mayville, N.Y. 14757

Term Expires: 11/18/15

Signed: Babbage, Stewart, Barmore, Nazzaro

RES. NO. 112-10

Confirm Appointments - Chautauqua County Fire Advisory Board

By Public Safety Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, County Executive, Gregory J. Edwards, has submitted the following appointments to the Chautauqua County Legislature for action; now therefore be it

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RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointments to the Chautauqua County Fire Advisory Board.

2nd Battalion

Mark Smith/Alternate (Replacing Matthew Oehlbeck, former Alternate)
9473 East Main Road
Ripley, N.Y. 14775 Term Expired: 1/31/11

Matthew Oehlbeck (Replacing David Himelein, resigned)
PO Box 352
Sherman, N.Y. 14781 Term Expires: 1/31/11

3rd Battalion

Samuel Salemm (Replacing Lance Hedlund, retired)
217 Dearing Ave.
Jamestown, N.Y. 14701 Term Expires: 1/31/11

Signed: Richmond, Runkle, Duff, Mueller, Himelein

RES. NO. 113-10

Confirm Appointment – Emergency Medical Services Council

By Public Safety Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, Gregory J. Edwards, County Executive, has submitted the following appointment for action by the Chautauqua County Legislature, therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Emergency Medical Services Council.

Legislator John Runkle
223 Dale Drive
Cassadaga, N.Y. 14718 Term Expires: 5/13/12
Signed: Richmond, Runkle, Duff, Mueller, Himelein

RES. NO. 114-10

Authorize Public Hearing for Lease of Part of Airport Facilities for Use by the United States Department of Transportation (FAA)

By Public Facilities Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, pursuant to Resolution No. 220-05, the United States Department of Transportation (FAA) has been leasing approximately 588 square feet of office space at the Airport Terminal Building at Jamestown; and

WHEREAS, the Federal Aviation Administration has requested a new five (5) year lease until September 30, 2015, upon similar terms and the Airport Commission has recommended approval; therefore be it

RESOLVED, That pursuant to Article 14 of the General Municipal Law a public hearing shall be held on the proposed lease at the meeting of the County Legislature on June 23, 2010, at 6:45pm at Legislative Chambers, Gerace Office Building, Mayville, New York 14757 upon substantially the following terms

1. Premises: Lease approximately 588 square feet of office space in the main Airport Terminal Building at Jamestown.
2. Rent: Monthly payment of \$300.00 which includes service agreement for heat, electricity, air conditioning, use of sanitary facilities, snow and ice removal and janitorial service.
3. Term: October 1, 2010 – September 30, 2015; and be it further

RESOLVED, That the Clerk of the Legislature shall give at least ten (10) days notice of said public hearing by publication in the official newspapers of the County of Chautauqua.

Signed: Babbage, Stewart, Barmore, Nazzaro

RES. NO. 115-10

Authorize County Executive to Accept State of New York and Federal Aviation Administration (FAA) Grants without Additional Legislative Approval for Capital Projects Already Included in the Adopted Budget

By Public Facilities Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Chautauqua County Department of Public Facilities presents both an annual and a five-year projection capital project plan for the county airports to the county legislature; and

WHEREAS, the Chautauqua County Airports in Jamestown and Dunkirk often receive capital project grant financing from both the State of New York and US Government; and

WHEREAS, such grant offers often include an acceptance deadline that cannot be met due to normal County procedures for pre-file, review and legislative action; and

WHEREAS, the County has been informed that grant acceptance and execution deadlines will not be extended in the future; and

WHEREAS, the county legislature reviews and approves the local share funding for all of the proposed capital projects in the county's annual budget; and

WHEREAS, the Airport Commission has reviewed this resolution and recommends its passage by the County Legislature; therefore be it

RESOLVED, That the County Executive or his designee be authorized to accept state and federal grant offers for the Chautauqua County Airports for capital projects that have previously been approved by the county legislature and included in the budget without having to be further reviewed and approved by the legislature; and further be it

RESOLVED, That such acceptance shall not occur if the local share included in the budget for that particular capital project would have to be increased beyond what had already been included in the adopted budget.

Signed: Babbage, Stewart, Barmore, Nazzaro

RES. NO. 116-10

Establishing "Summer Hours" for County Employees

By Administrative Services Committee:

At the Request of Chairman Fred C. Croscut:

WHEREAS, Section 206 of the County Law permits the County Legislature to fix the number of hours constituting a legal day's work for all classes of county employees; and

WHEREAS, Section 206 of said law further specifically provides that the County Legislature may adjust such hours for the summer months; therefore be it

RESOLVED, That except as may otherwise be mandated by law, the regular hours of all County offices shall commence at 8:30 A.M. and shall terminate at 4:30 P.M. for the period of June 1, 2010 through September 3, 2010.

Signed: Barmore, Lemon, Scudder, DeJoy, Cornell

RES. NO. 117-10

Distribution of Mortgage Taxes

By Administrative Services and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

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 them pursuant to said act and to do all things required to be done by the Board of Legislators as required by Law:

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October 1, 2009 thru March 31, 2010

TOWNS		CITIES	
Arkwright	4,200.49	Dunkirk	39,453.95
Busti	33,840.09	Jamestown	80,468.54
Carroll	12,311.98		
Charlotte	7,934.17	TOTAL	119,922.49
Chautauqua	83,766.69		
Cherry Creek	1,952.63		
Clymer	14,426.53		
Dunkirk	11,299.86		
Ellery	59,641.45	Bemus Point	3,937.35
Ellicott	40,809.33	Brocton	2,436.19
Ellington	6,165.24	Cassadaga	1,223.11
French Creek	11,228.22	Celoron	2,497.41
Gerry	7,933.73	Cherry Creek	253.01
Hanover	25,289.90	Falconer	4,659.02
Harmony	11,094.02	Forestville	905.63
Kiantone	14,898.44	Fredonia	19,974.66
Mina	8,758.28	Lakewood	10,890.52
North Harmony	25,765.02	Mayville	6,828.84
Poland	10,221.26	Panama	1,387.89
Pomfret	37,884.94	Sherman	1,716.49
Portland	26,261.49	Silver Creek	3,163.02
Ripley	14,821.92	Sinclairville	1,473.11
Sheridan	10,496.83	Westfield	10,587.22
Sherman	8,420.52		
Stockton	6,363.60	TOTAL	\$71,933.47
Villanova	4,313.28		
Westfield	28,530.05		

TOTAL \$528,629.96

GRAND TOTAL \$720,485.92

Signed: Gould, Gullo, Barmore, Lemon, Scudder, DeJoy, Cornell, Nazzaro, Richmond, Park

RES. NO. 118-10

Authorize Municipal Cooperation Agreement with Cattaraugus County for Med-Vac Helicopter Service

By Public Safety Committee:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the County of Chautauqua, through its Office of the Sheriff and jointly with WCA Services and Starflight, Inc., operates an emergency medi-vac helicopter service for the transfer of critically ill or injured patients in a setting that allows a medical team during the flight to deal with the medical needs of severe trauma or illness; and

WHEREAS, Cattaraugus County desires to continue to obtain medi-vac helicopter service throughout Cattaraugus County and its environs during 2010 and will contribute the sum of \$9,000.00 toward such services; and

WHEREAS, it is appropriate and beneficial to enter into a municipal cooperation agreement with Cattaraugus County to provide such medi-vac helicopter service; therefore be it

RESOLVED, That the County Executive is authorized to enter into a municipal cooperation agreement with Cattaraugus County in order to continue to provide Medi-Vac Helicopter Service for the current year upon the same terms.

Signed: Richmond, Runkle, Duff, Mueller, Himelein

RES. NO. 119-10

Authorize Agreement with Monroe County for Treatment of Local Inmates at the Rochester Psychiatric Center Forensic Unit

By Public Safety and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the County Jail periodically has prisoners requiring care and treatment for mental illness and the County has inadequate facilities for treating such purpose; and

WHEREAS, the County of Monroe, through the Rochester Psychiatric Center Forensic Unit, has the capacity of providing forensic services for the care and treatment of such prisoners; therefore be it,

RESOLVED, That the County Executive is hereby authorized to execute an agreement with the County of Monroe for housing mentally ill prisoners for their care and treatment at the Rochester Psychiatric Center Forensic Unit or other necessary medical treatment on substantially the following terms and conditions:

1. Payment: \$140 per inmate per day or, when confined to hospital, the actual cost of guarding such inmate at the hospital as well as medical expenses incurred that are not paid by Rochester Psychiatric Center;
2. Term: January 1, 2011 through December 31, 2015;
3. Other: As negotiated by the County Executive and the County Sheriff.

Signed: Richmond, Runkle, Duff, Mueller, Himelein, Gould, Gullo, Park, Nazzaro

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RES. NO. 120-10

Authorize Execution of the New York State Office of Homeland Security Funding Grant Agreement – Bomb Detection

By Public Safety and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Chautauqua County Sheriff has received notice that the State of New York approved the application for Office of Homeland Security Program Grant for further implementation of Bomb detection; and

WHEREAS, the State of New York will provide funding in the amount of \$133,216 for the initial contract period from August 1, 2009 to July 31, 2012 without local funding; therefore be it

RESOLVED, That the Chautauqua County Executive is hereby authorized to execute the appropriate contract for the Office of Homeland Security Program Grant in the initial amount of \$133,216 with no local share; and be it further

RESOLVED, That the Director of Finance is authorized to make the following 2010 budgetary changes:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.----.2	Equipment - Sheriff Operations	\$ 14,716
A.3110.----.3	Depreciable Equipment - Sheriff Operations	87,500
A.3110.----.4	Contractual - Sheriff Operations	<u>31,000</u>
		\$133,216

ESTABLISH AND INCREASE REVENUE ACCOUNT:

A.3110.R438.9BMB	Federal Aid: Other Safety Aid	\$133,216
Signed: Richmond, Runkle, Duff, Mueller, Himelein, Gould, Nazzaro, Park, Gullo		

RES. NO. 121-10

Authorize Execution of the New York State Office of Homeland Security for Terrorism Prevention

By Public Safety and Audit & Control Committees:

At the Request of County Executive Gregory J. Edwards:

WHEREAS, the Chautauqua County Sheriff has received notice that the State of New York approved the application for Office of Homeland Security Program Grant for terrorism prevention; and

WHEREAS, the State of New York will provide funding in the amount of \$101,250 for the initial contract period from August 1, 2009 to July31, 2012 without any local funds; therefore be it

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RESOLVED, That the Chautauqua County Executive is hereby authorized to execute the appropriate contract for the Office of Homeland Security Program Grant in the initial amount of \$110,250 and no local share; and be it further

RESOLVED, That the Director of Finance is authorized to make the following 2010 budgetary changes:

INCREASE APPROPRIATION ACCOUNTS:

A.3110.----.1	Personal Services - Sheriff Operations	\$ 14,936
A.3110.----3	Depreciable Equipment - Sheriff Operations	75,937
A.3110.----8	Fringe Benefits - Sheriff Operations	<u>10,377</u>
		\$101,250

INCREASE REVENUE ACCOUNT:

A.3110.R438.9LTP	Federal Aid: Terrorism Prevention	\$101,250
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Signed: Richmond, Runkle, Duff, Mueller, Himelein, Gould, Nazzaro, Gullo, Park

RES. NO. 122-10

Amending Res. No. 17-09 and 167-09 – 2% Occupancy Tax Awarded Projects

By Planning & Economic Development and Audit & Control Committees:

At the Request of Legislator Park:

WHEREAS, Resolution 17-09, Adoption of Waterways Panel Occupancy Tax Recommendations, awarded the Town of Ellicott \$50,000 (Fifty Thousand Dollars), for the Green Street Storm water and Erosion project; and

WHEREAS, Resolution 167-09, Adoption of Waterways Panel 2010 Occupancy Tax Recommendations, awarded the Town of North Harmony \$40,000 (Forty Thousand Dollars), for a Lighthouse Park – Permeable Paver Parking Area; and

WHEREAS, these two projects will no longer take place, therefore it be

RESOLVED, That the total of \$90,000 (Ninety Thousand Dollars) not being used in the two projects listed, be placed back into the 2% Occupancy Tax Reserve Account.

Signed: Gould, Park, Richmond, Gullo, Nazzaro, Tarbrake, Kindberg, Borrello, Heenan

RES. NO. 123-10

To Participate with National Resources Conservation Services (NRCS) in an Emergency Watershed Protection Program at Temple Road

At the Request of County Executive Gregory J. Edwards and Legislator Keith Ahlstrom:

WHEREAS, damage by natural causes to the stream bank adjacent to Temple Road is an imminent threat to the road if not repaired; and

WHEREAS, the County of Chautauqua and NRCS will enter into an agreement which authorizes the undertaking of the repair project, with a local in-kind share of 25% minimum of the project cost; and

WHEREAS, the NRCS needs the commitment from Chautauqua County to perform Engineering Design for the proposed work; now therefore be it

RESOLVED, That Chautauqua County hereby accepts the offer from the NRCS for in-kind participation for the construction of the bank stabilization project at Temple Road; and be it further

RESOLVED, That the County Executive be and hereby is authorized within budget appropriations to execute all necessary documents and agreements on behalf of Chautauqua County with NRCS, engineers and contractors in connection with this project.

Signed: Ahlstrom