

Mr. McCord: No, it's largely- it was tabled at the Legislative meeting and I believe the reason it was tabled is the same reason why I'm sitting here. As Dave said, by spring this could resolve itself in some form or it could at least be a slightly different problem. The decay and decomposition may take a different clean up approach than it did in the late fall, therefore, the numbers that we were originally given were high due to the fact that the equipment was winterized and would need to be re-energized and then re-winterized after the program. We have not requested a new number because I'm not sure anyone really knows exactly what the approach would be in the spring.

Chairman Odell: As this is on the Legislature floor still as a tabled resolution, this tabled resolution is really only for discussion for the committee.

Legislator O'Connell: I just had one question regarding the procedure. You're taking this to the Ellery Landfill. Is that normally the standard procedure when there is this type of situation in Chautauqua? Take the vegetation and the dead fish to Ellery?

Mr. McCord: In the past when we had a fish kill we did take the fish to the Ellery Landfill and I think that is why this was suggested.

Legislator Chagnon: When the weeds are harvested in the summer, many of them are composted with local farmers.

Chairman Odell: I was really glad we were able to at the last minute at least attempt to muster- rally to try to fix this problem. Obviously Mother Nature didn't cooperate, but it did show that we could put an emergency strategy together and get all hands on deck. There are a lot of people to be commended for that, even the willingness of the CLA. I think that should be noted as well.

Legislator Chagnon: As was pointed out, this was presented as an emergency resolution because at the time it came to light we were passed the committee process and then with the weather changing, the emergency for work this fall passed. So, we tabled it and brought it up for discussion this month. As Don and Dave pointed out, we're not sure what the effort is going to be come spring, but one of the partners in the collaboration to deal with this- one of the financial partners- the Chautauqua Region Community Foundation, and they had their board meeting today and they had dealt with this as an emergency allocation of funds also, but since the emergency passed for them they dealt with it in their board meeting today and they approved to make the allocation of funds to whatever effort was needed in the spring.

Chairman Odell: Was it up to a cap?

Legislator Chagnon: Yes. \$28,000? I believe that's the number I have in my head.

Chairman Odell: I think at this point the recommendation at the full Legislature will be to keep it tabled until a proper vote can be attained.

Legislator Chagnon: Well, if it doesn't come off the table this month it dies, but the opportunity for the County would be to allocate the funds but not disburse them or not allocate the funds and defer until a plan is put together in the spring. That's what we'll be discussing going forward, is to how best to deal with that. As Don pointed out, we don't know if funds will be needed in the spring or to what extent. So, the Community Foundation- by allocating the funds and not dispersing them, took a position and I am personally thrilled that we're able to keep that community partnership- that community collaboration together between the foundations in the County working together to address these situations.

Chairman Odell: We should probably mirror what they're doing- do an allocation but not disburse.

Legislator Chagnon: That would, in my mind, be the preferred option, but we'll see what Audit and Control thinks about that idea in the morning.

Legislator Starks: That would allow it to be disbursed as needed without having to wait for another meeting? So, the timing issue would be alleviated?

Legislator Chagnon: Right.

(Cross-talk)

Legislator Starks: So, what's the process to get it disbursed? They just say, hey, we need it now?

Legislator Chagnon: The funds would flow through the Chautauqua Lake Watershed Alliance. So, once a contract was established in the spring, the alliance would apply to the County for disbursement of the funds.

Legislator Starks: Which would alleviate the need to run it through Committees?

Chairman Odell: Yes. It would point it right to this resolution number.

Legislator Chagnon: Correct.

Legislator Starks: That does make sense to me, as well.

Mr. McCord: One thing that would be modified is the number.

(Cross-talk)

Chairman Odell: That is the Committee's recommendation to Audit & Control, so if you could please pass that along.

Legislator Chagnon: OK. I will do that.

Chairman Odell: We have no further action to take on this, so we'll move on to number two.

Proposed Resolution- Authorize Use of Occupancy Tax Monies for Chautauqua County to Retain Professional Services to Advocate for Federal Projects and Funding

Mr. McCoy: You know we've been pushing very hard over the past few years to bring federal dollars into Chautauqua County for our water resource projects. It's been a struggle for a lot of different reasons. One, Washington's a long ways away from us. Two, there are louder voices in the room than Chautauqua County and largely, I think the biggest challenge to us is navigating the bureaucracy. These federal dollars either float through the (*inaudible*) or the Army Corp. The Army Corp. is a branch of the Department of Defense. They are literally the army. It takes an act of Congress to get them to do something. However, we've been able to make acts of congress happen through this relationship that we've had with NEXUS government relations.

Chairman Odell: Three years now?

Mr. McCoy: This will be the third.

Chairman Odell: This will be the third, right.

Legislator Starks: I was going to say that this sounds familiar.

Chairman Odell: Yeah, Steve-

Legislator Chagnon: Dye.

Chairman Odell: Yes.

Mr. McCoy: Actually, we're getting more proficient at the things we've been able to do. We've accomplished some of our goals and objectives and we've gotten out projects through the list of the (*inaudible*) into the Water Resource Development Act. So, they're authorized, so now we have flood mitigation studies authorized for Silver Creek and Cattaraugus Creek. We have the environmental restoration of Chautauqua Lake authorized and we're going to Pittsburgh early in the year to meet with Pittsburgh Corp. of Engineers to talk about advancing that study. That's a \$450,000 effort. Flood mitigation studies- we're not entirely sure what they'll cost, but our gut feeling is they'll be around one seventy-five, or thereabouts. That being said, the initial contribution is- the first \$100,000 is paid by the (*inaudible*) and then the rest is cost shared. We'd possibly be 50% on the \$75,000. So, we need to be thinking in terms of where we'll get that money in the future. That being said, we've gotten a long ways with what we've been doing. I think we're seeing dividends in terms of investment in our harbors. Barcelona harbor has been dredged twice and the break waters have been repaired up there. The Dunkirk Harbor has been dredged. They're looking for breakwater repairs up there and extensions to the breakwaters to help the marinas. I don't think we would be there if it wasn't for our relationship with NEXUS and us pushing with them. It's been a learning curve for all of us and I'm sure Pierre could vouch for that.

Chairman Odell: I would agree with that, especially with it being that it's a smaller rural area to be able to get that attention. I truly believe that our return on investment is high. I could not see any reason why not to keep this going.

Mr. McCoy: I was at a meeting recently where some folks from Erie County were talking about their harbor problems and they said they just don't understand how Dunkirk and Barcelona get that money.

(Cross-talk)

Legislator Chagnon: I was just talking with someone this morning who was asking me what the County actually gets for that money, what does that guy really do for the County. I said we've been to Washington for two years now and it's all about the connections. If we decided we wanted to go to Washington and lobby where would we begin? Who would we even call? Steve Dye has set up meetings for us with some very influential people, and the one that still strikes me is we met with some people from EPA (?) and my pitch was to try and get funding for a sewer extension for Chautauqua Lake. We started talking and the guy knew where Chautauqua Lake was. He used to be the head of finance for the New York State Environmental Facilities Corporation and remembered building a sewer project around Chautauqua Lake. I told him I was the chairman of the board when we built that project and then we were like old buddies from prep school and he was giving us all this advice on what to do and how to do it and how to make it happen. Two years later all the funding is in place for phase one and we're beginning the process to get it built right now. So, that's priceless. We could have never found that guy on our own.

(Cross-talk)

Chairman Odell: Agreed. It's a high return on investment. Any other questions? Comments? All in favor? Opposed?

Unanimously Carried

Proposed Resolution- Establish Chautauqua County Sewer Agency Pursuant to Article 5-A
Of the County Law

Mr. Boria: Good evening. I'm Bill Boria, the Senior Water Resource Specialist with the County Health Department.

(Cross-talk)

Mr. McCoy: Findley Lake has been working to be sewerred forever.

Mr. Boria: Since 2004. Quite a while.

Mr. McCoy: And they have a TMDL like Chautauqua Lake does and their TMDL says if you can do something meaningful, put sewers around Findley Lake. The lake turns very green around July 4th and stays green. They have harmful algae blooms. They don't have the sampling

structure, if you will, like Chautauqua Lake has to get out there and sample every time there's a bloom. So, it just largely goes unreported, but there is quite a problem there. So, anyways, the sewer agency (*inaudible*) populating it with new faces from the Town of Mina and possibly the Town of Sherman because there's talks about interconnecting those two systems- building a new system in Findley and moving into Sherman or building a system and moving it down to Peek'n Peak. So, we still have some options, but we won't know until we've investigated all of our opportunities.

Chairman Odell: OK.

Mr. Boria: Dave did a nice job summarizing this. I do want to emphasize the public health issues that are going on. If you look at the density of cottages and homes around the lake compared to the surface area of the lake, it's the most dense development we've got around any lake in the County. In addition, everybody has private wells, very small lots. We have severe challenges in installing new or replacing septic systems over there and they're costing in the neighborhood of \$25,000- \$30,000. Wells are very close to the septic system components, which is an issue. At any rate, this is something that the Health Department is very interested in seeing a public sewer system put in around the lake and we have been for quite some time.

Chairman Odell: I'm curious as property transactions occur and we're doing testing of wells and stuff, are we seeing a lot of well failures?

Mr. Boria: Not for bacteria. It turns out there's a lot of sand and gravel- a significant amount of sand and gravel around the lake. The wells are deep enough to where the septic is percolating through the sand and gravel and then transporting to the lake. The typical well depth there is 100-120 feet, but that's not to say that there aren't other issues and other contaminants that could be getting to those wells, like nitrate, nitrogen- that's a serious health concern.

Chairman Odell: Questions from the committee? Comments? (*Inaudible*) will be put together after this is formed and reauthorized-

Legislator Chagnon: They'll be appointed by the County Executive and the Chairman of the Legislature.

Chairman Odell: Very good. All in favor? Opposed?

Unanimously Carried

Proposed Resolution- Amend Capital Budget for New York State Department of Environmental Conservation Water Quality Improvement Project Grants

Mr. McCoy: I started to work here about five years ago. A couple months into my tenure here I found out that we'd won a grant for Goose Creek and Dewittville Creek. We prepared a resolution to accept those monies way back then. Today when we do something like that we put the accounting information on there- where the money's coming from, what we'll do to match it, and what account we're going to put it in when it comes in and who we'll write the checks from.

We didn't do that back then. What's unusual about round 11 grants was the water quality improvement grants back then were sporadic. They would come every two or three years. So, we got the notice of the award back in 2014, I believe. We were not able to get under contract through the DEC until the beginning of 2018. It was the last of the analog grants done under the old grant administration process. Today they're done through the grants gateway. It's a more streamlined process. It's kind of a relic. We did the best we could at the time. The projects are built and it's time to pay our partners, soil and water and the Chautauqua Watershed Conservancy. This will allow us to establish the accounts necessary to make those payments.

Chairman Odell: Sounds good. It took a while, but it got done. Thank you for that Dave.

Mrs. Dennison: Mr. Chairman, I would like to propose a change to the resolution. The amount in the increased capital appropriation account and the capital revenue account- that should be \$132,750 in both cases because part of the money has been spent in the past and we do not need to include it in the current appropriations. The revenue coming in will be the \$132,750.

Legislator Chagnon: I would make a motion that we amend the resolution as indicated by the budget director.

Legislator Starks: I'll second that.

Chairman Odell: All in favor?

Unanimously Carried to Amend

Chairman Odell: OK. We'll bring the amended resolution forward.

Mrs. Dennison: I just noticed it says increase capital accounts. There is only one, so if we could also change that to read "increase capital revenue account."

Chairman Odell: We'll treat that as a typo. Have you got that Olivia?

Ms. Ames: Yes.

Chairman Odell: Alright, so we have the amended resolution before us. Questions, comments, concerns? All in favor? Opposed?

Unanimously Carried as Amended

Other-

Proposed Resolution- Authorize Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Weed Management Consensus Strategy

Mr. Geise: Good evening. I'll do my best. So, as the County Executive has been talking about- he feels that there's a consensus strategy needed for weed management in Chautauqua Lake with the Article 78 being initiated by the Institution and the bickering back and forth on the various sides of the issue. The idea was- we've had a lot of meetings and Pierre's been involved in a number of these meetings- talking about, well, is there common ground, is there a way that we can try to bring the parties together to collaborate and to come to some kind of consensus on what makes sense. As we had those discussions we thought it would be a good idea to try to find an independent body- an independent unbiased scientific based firm that does this kind of work that can maybe come in, talk with the stakeholders, put together some ideas for a strategy or several strategies that we could hopefully get all the parties to agree to.

So, Ecology and Environment is a firm out of Lancaster. They're an environmental engineering and permitting firm with thirty plus offices around the world that does a lot of NEPA and SEQR work and permitting. They have a lot of scientists, a lot of specialists. We invited them to come and talk with us and they understand what the issue is. We sent them all the- they got their head wrapped around the subject by reviewing the SCIS and the macrophyte management strategy and a lot of the other information out there and felt that they could help us by meeting with the stakeholders and helping us put together a strategy for how we could reach consensus if that's possible. We're hopeful that it is.

This resolution is to allocate a little under \$10,000 of the 2% to contract with Ecology and Environment to come with the stakeholders to develop a consensus strategy.

Chairman Odell: Thank you, Mr. McCoy do you have anything to add?

Mr. McCoy: I think it's a good thing to try to bring everyone to the table. The watershed community is very polarized and sometimes not evenhanded, if you will. I think bringing in a recognized expert in environmental science- someone that does not do business here in the County, but is respected on a national scale is going to be very helpful. We could be looking at additional costs going down the road, but in order for them to get their feet on the ground and take a hard look at what's going on and listen to the stakeholders- we didn't get into this position overnight and we probably won't get out of it overnight. It's going to take some work to get everyone to the table and get some productive dialog.

Chairman Odell: Great.

Legislator O'Connell: Is there a time frame that you expect for all of this to come together?

Mr. Geise: I would hope in the next few months.

Mr. McCoy: We have to get a contract and the rest of that, but it's a start.

Chairman Odell: Christine, anything to add?

Legislator Starks: No. Thank you Mr. Geise, we don't always get to hear from you.

Mr. Geise: Thanks for having me.

Chairman Odell: Mr. Chagnon?

Legislator Chagnon: Well, this is something that has been near and dear to the County Executives heart. This is something that when he came into office he really wanted to try and put together a consensus strategy for Chautauqua Lake. Clearly it's a multiuse lake- used by many different users for many different purposes, including the fact that it is a Class A drinking water source for several communities. So, he was hopeful of trying to come together- bring together the different uses, the different perspectives, the different priorities to try and develop a consensus as to how we should be managing the lake and the watershed. The ultimate goal is to try and have a consensus that we can avoid future lawsuits because the users of Chautauqua Lake have a long history of contentious lawsuits where someone wants to do something, gets approval, and then there's a lawsuit. We waste a lot of money around Chautauqua Lake on lawsuits. So, I commend the County Executive for trying to pursue a consensus strategy and I think as Mark pointed out, bringing in an independent ecological consultant with worldwide recognition who hasn't done work on Chautauqua Lake can bring an independent perspective to it and hopefully move us towards consensus.

Chairman Odell: I agree. I think it's the unbiased position that they'll bring to the platform we're trying to build here. It'll help form the beginnings of some foundation building. What's your thought on the various stakeholders? Do you think they'll be in agreement-

Mr. Geise: I think it's like any negotiation. Everyone is probably going to lose a little something. Not everyone is going to get their way, but you would hope at the end that everyone can say OK, maybe I didn't get everything I wanted but I got some of what I wanted and that's certainly better than not getting anything. At the end of the day, this is just going to keep anything from happening. We're hoping that by bringing in this independent specialist that they'll all kind of- I know it's not going to be easy.

Chairman Odell: It won't be easy, but at least it's an unbiased view to be presented.

Mr. McCoy: The goal is to come up with a comprehensive plan to manage the weeds in Chautauqua Lake. There are tools that we've not been able to use. We've made some steps over the last couple years- baby steps.

(Cross-talk)

Chairman Odell: What's good is in the scope of work that they've outlined. They are addressing and going through the MMS as well as meetings with County stakeholders and the DEC. I think they put together a nice proposal here. Thank you for bringing this to the table. Here is another shining example of the County stepping up. Any other questions? All in favor? Opposed?

Unanimously Carried

Proposed Resolution- Authorizing County Participation in Statewide Clean Lakes Collaboration

Legislator Chagnon: The County Executive couldn't be here tonight. So, this harkens back to a field trip that the County Executive, Dave McCoy, and Don McCord and I took to Lake George a couple of months ago, along with a couple of other people from the County. We went out there to visit what they're doing at Lake George. They've got some exciting things going on. Lake George has a very active and well-funded fund for Lake George that gathers donations and does work in the lake and the watershed and they also have the pleasure of hosting a scientific research station there, which is a collaboration between Rensselaer Polytechnic Institute and IBM, which is doing some incredible development of scientific tools and monitoring and understanding what goes on in lakes.

One of the interesting things for our visit was that the scientists were really excited to see us because one of the things that is lacking in Lake George is harmful algal blooms. They were excited of the prospects of getting involved with a lake that has lots of them because that's one of their opportunities to try and develop strategies and techniques and methodologies to deal with harmful algal blooms.

Then, we met in the afternoon with the representatives from the fund for Lake George, which is comprised of several municipalities, counties, and business. They would like to expand into a state-wide collaboration focused on the twelve (*inaudible*) lakes, but also open to any lakes and watershed in New York State and we were, I think, the second lake that they reached out to bounce the idea off of to form this collaboration of lakes to have a bigger voice in Albany- a bigger presence in Albany in terms of legislation and funding for what's needed in the lakes. They developed a memorandum of understanding, which has gone through some levels of review and just recently, they approved it for release. That's why it didn't make the prefile deadline for this meeting, but it's now fully approved for release and we have a proposed memorandum of understanding that has no cost associated with it, but would bring the County of Chautauqua into the state-wide clean lakes collaboration.

Legislator Starks: Sounds very cool Pierre.

Legislator Chagnon: Very cool.

Chairman Odell: Again, it all stems from your fieldtrip a few months ago.

Legislator Chagnon: Yes.

(Cross-talk)

Chairman Odell: How did this start? Who reached out to who first?

Legislator Chagnon: Well, the Jefferson project on Lake George is collaboration, like I said, between IBM and Rensselaer Polytechnic Institute. The chairman of the board of IMB has a home on Lake George, but one of the senior vice presidents of IMB has a home at Chautauqua Institution and is on the board of directors at Chautauqua Institution and is very interested in getting something like this started for Chautauqua Lake. So, she was the initiator to put the field trip together.

Chairman Odell: Meetings and networking.

(Cross-talk)

Legislator Chagnon: It was a great day and Don did a lot of driving that day.

(Cross-talk)

Legislator Chagnon: This is an opportunity for us to join in with other lakes in the State and hopefully get a bigger voice in Albany and get some better support for protecting and restoring our lakes in Chautauqua County.

Chairman Odell: Any other lakes that have caught wind of this looking to sign on?

Legislator Chagnon: Skaneateles Lake was actually the first that they reached out to and that was because Skaneateles Lake is the unfiltered drinking water source for the City of Syracuse and up until last year they had never had a harmful algal bloom and then last year they had a harmful algal bloom. This year they had another one. The governor's office called up the Jefferson project and asked if they could just hop over to Skaneateles and see what you can do to help them. They were literally there for a couple of months and they discovered the cause of the harmful algal blooms. That's the technology that these people have. So, when the idea of collaboration came up, people from Skaneateles wanted to be first.

Chairman Odell: Outstanding. Thank you for helping to pull us forward and for staying on it. Any other questions? All in favor? Opposed?

Unanimously Carried

MOVED by Legislator Starks, SECONDED by Legislator O'Connell to adjourn.

Unanimously Carried (6:45 p.m.)

Respectfully submitted and transcribed,
Olivia L. Ames, Committee Secretary