

## Agenda

Planning & Economic Development Committee

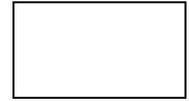
**Wednesday, February 21, 2018, 6:00 pm, Room 331**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (1/17/18)
- C. Privilege of the Floor
  1. Proposed Motion – Proclaiming March 10<sup>th</sup> - 23<sup>rd</sup> Agricultural Literacy Week in Chautauqua County
  2. Proposed Local Law Intro. 1-18 – A Local Law to Amend the Sustainable Energy Loan Program in the County of Chautauqua
  3. Proposed Local Law Intro. 2-18 - A Local Law Amending Local Law 7-90 Providing for a Management Salary Plan for County Offices and Employees (Re: Deputy County Executive for Economic Development and Director of Planning and Community Development)
  4. Proposed Resolution - Confirm Re-Appointment – Southern Tier Extension Railroad Authority Board of Directors
  5. Proposed Resolution – Confirm Re-Appointments - Chautauqua County Visitors Bureau Board of Directors
  6. Proposed Resolution – Government Reduction Initiative (GRI) Assistance for the Town of Cherry Creek
  7. Proposed Resolution – Amend 2017 Budget for Year End Reconciliations – Planning & Economic Development
  8. Proposed Resolution – Accept Grant Funding from New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program for B2CI Easements
  9. Proposed Resolution – Allocation of 3% Occupancy Tax Funding from the 2018 Reserve Account to the Jamestown Renaissance Corporation for “Hello Jamestown” Video Campaign

10. Discussion – LEAF & Ag Literacy Week Programs – Emily Reynolds
11. Discussion – Alliance led 2017 2% Reserve – Erin Brickley
12. Discussion – Watershed Conservancy – John Jablonski
13. Other

**CHAUTAUQUA COUNTY**  
**MOTION NO. \_\_\_\_\_**



**TITLE:** Proclaiming March 19<sup>th</sup>-23<sup>rd</sup> Agricultural Literacy Week in Chautauqua County

**AT THE REQUEST OF:** Legislator Elisabeth Rankin & Legislator John Hemmer:

WHEREAS, Agricultural Literacy Week in New York State is celebrated March 19<sup>th</sup> – 23<sup>rd</sup>; and

WHEREAS, in Chautauqua County over 40 volunteers from the agricultural community will read to elementary classrooms in an effort to increase Agricultural Literacy; and

WHEREAS, students and teachers will benefit from hands-on lessons and receive follow-up activities; and

WHEREAS, 50 books will be donated to school libraries in Chautauqua County for future reference and reading; and

WHEREAS, Agricultural Literacy Week in Chautauqua County is organized by Cornell Cooperative Extension of Chautauqua County's Agriculture Program; and

WHEREAS, as of the 2012 USDA Census of Agriculture, Chautauqua County ranks number one in New York State for number of farms – with over 1500 farms that produce a total market value of agricultural products sold of over \$160 million, making it the county's largest industry; and

WHEREAS, in Chautauqua County over 200 dairy farms produce enough milk to meet the dietary needs of nearly 700,000 people, 250 grape growers produce 90,000 tons of grapes, and 52 Maple producers make over 6,250 gallons of maple syrup; and

WHEREAS, for every dollar of income created by the agricultural industry in Chautauqua County, \$2.29 is generated in the community; now, therefore be it

KNOWN, That the Chautauqua County Legislature, with great pride, hereby proclaims March 19<sup>th</sup> – 23<sup>rd</sup> 2018 as Agricultural Literacy Week in Chautauqua County; and let it be

MOVED, That the Chautauqua County Legislature urges all residents to celebrate our county's rich agricultural heritage and recognize and appreciate agriculture as our largest industry.

**LOCAL LAW  
INTRODUCTORY NUMBER 1-18  
CHAUTAUQUA COUNTY**

**A LOCAL LAW TO AMEND THE SUSTAINABLE ENERGY LOAN PROGRAM  
IN THE COUNTY OF CHAUTAUQUA**

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

**Section 1.** This Legislature previously enacted Local Law No. 7-17 of the County of Chautauqua (“County”) pursuant to provisions of New York General Municipal Law, to establish a Sustainable Energy Loan Program. This program authorized the Energy Improvement Corporation (“EIC”), a local development corporation acting on behalf of the County, to make funds available to qualified property owners for the installation of renewable energy systems and energy-efficiency measures. The New York State Legislature recently amended certain provisions of the municipal sustainable energy loan program to “eliminate barriers that have been identified that have prevented the program from reaching its full potential.” The amendments to the program, enacted as Chapter 320 of the 2017 Laws of the State of New York, seek to encourage net metered and community solar projects, and will allow the County’s program to use monies available from the State or any State authority, and will permit a more flexible loan standard for commercial properties. Therefore, the purpose of this law is to amend Local Law No. 7-17 to make the County’s Sustainable Energy Loan Program in conformity with changes recently enacted to the New York State enabling legislation.

**Section 2.** Local Law No. 7-17 of the County of Chautauqua, entitled “A Local Law Establishing a Sustainable Energy Loan Program in the County of Chautauqua,” is hereby amended in its entirety to read as follows:

**ARTICLE I**

**§1. Legislative findings, intent and purpose, authority.**

A. It is the policy of both the County of Chautauqua and the State of New York to achieve energy efficiency and renewable energy goals, reduce greenhouse gas emissions, mitigate the effect of global climate change, and advance a clean energy economy. The County of Chautauqua finds that it can fulfill this policy by providing property assessed clean energy financing to property owners for the installation of

renewable energy systems and energy efficiency measures. This chapter establishes a program that will allow the Energy Improvement Corporation (“EIC”), a local development corporation, acting on behalf of the County of Chautauqua pursuant to the municipal agreement to be entered into between the County of Chautauqua and EIC pursuant to Article 5-G of the New York General Municipal Law (the “Municipal Agreement”), to make funds available to qualified property owners that will be repaid by such property owners through charges on the real properties benefited by such funds, thereby fulfilling the purposes of this law and fulfilling an important public purpose.

- B. The County of Chautauqua is authorized to implement this Energize NY Benefit Financing Program pursuant to the Municipal Home Rule Law and Article 5-L of the New York General Municipal Law.
- C. This law shall be known and may be cited as the “Energize NY Benefit Financing Program Law of the County of Chautauqua”.

## **§2. Definitions**

For purposes of this law, and unless otherwise expressly stated or unless the context requires, the following terms shall have the meanings indicated:

**Authority** – The New York State Energy Research and Development Authority, as defined by subdivision two of section eighteen hundred fifty-one of the Public Authorities Law, or its successor.

**EIC** – the Energy Improvement Corporation, a local development corporation, duly organized under section fourteen hundred eleven of the Not-For-Profit Corporation Law, authorized hereby on behalf of the County of Chautauqua to implement the Energize NY Benefit Financing Program by providing funds to qualified property owners (as defined in this law) and providing for repayment of such funds from monies collected by the County of Chautauqua tax collecting officer as a charge to be levied on the real property and collected in the same manner and same form as the County of Chautauqua taxes.

**Energy Audit** – A formal evaluation or “assessment” of the energy consumption of a permanent building or structural improvement to real property, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of identifying appropriate energy efficiency improvements that could be made to the property.

**Energy Efficiency Improvement** – Any renovation or retrofitting of a building to reduce energy consumption, such as window and door replacement, lighting, caulking, weatherstripping, air sealing, insulation, and heating and cooling system upgrades, and similar improvements, determined to be cost-effective pursuant to criteria established by

the Authority, not including lighting measures or household appliances that are not permanently fixed to real property.

**Qualified Property Owner** – An owner of residential or commercial real property located within the boundaries of the County of Chautauqua that is determined to be eligible to participate in the Energize NY Benefit Financing Program under the procedures for eligibility set forth under this law.

**Renewable Energy System** – An energy generating system for the generation of electric or thermal energy, to be used primarily at such property, except when the Qualified Property Owner is a commercial entity in which case the system may be used for other properties in addition to the subject property, by means of solar thermal, solar photovoltaic, wind, geothermal, anaerobic digester gas-to-electricity systems, fuel cell technologies, or other renewable energy technology approved by the Authority not including the combustion or pyrolysis of solid waste.

**Renewable Energy System Feasibility Study** – A written study, conducted by a contractor certified by the Authority, or certified by a certifying entity approved by the Authority, for the purpose of determining the feasibility of installing a renewable energy system.

### **§3. Establishment of an Energize NY Benefit Financing Program**

- A. An Energize NY Benefit Financing Program is hereby established by the County of Chautauqua, whereby EIC acting on its behalf pursuant to the Municipal Agreement, may provide funds to Qualified Property Owners in accordance with the procedures set forth under this law, to finance the acquisition, construction and installation of Renewable Energy Systems and Energy Efficiency Improvements and the verification of the installation of such systems and improvements.
- B. For funds provided to a Qualified Property Owner which is a commercial entity, not-for-profit organization, or entity other than an individual, EIC shall have the authority to impose requirements on the maximum amount of funds to be provided, which may consider factors including but not limited to the property value, projected savings, project cost, and existing indebtedness secured by such property.
- C. For financings made to a Qualified Property Owner who is an individual, the funds provided shall not exceed the lesser of: (i) ten percent of the appraised value of the real property where the Renewable Energy Systems and/or Energy Efficiency Improvements will be located, or (ii) the actual cost of installing the Renewable Energy Systems and/or Energy Efficiency Improvements, including the costs of necessary equipment, materials, and labor and the cost of verification of such systems and improvements.

#### **§4. Procedures for eligibility**

- A. Any property owner in the County of Chautauqua may submit an application to EIC on such forms as have been prepared by EIC and made available to property owners on the website of EIC and at the County of Chautauqua offices.
- B. Every application submitted by a property owner shall be reviewed by EIC acting on behalf of the County of Chautauqua, which shall make a positive or negative determination on such application based upon the criteria for making a financing enumerated in section 5 of this law. EIC may also request further information from the property owner where necessary to aid in its determination.
- C. If a positive determination on an application is made by EIC acting on behalf of the County of Chautauqua, the property owner shall be deemed a Qualified Property Owner and shall be eligible to participate in the Energize NY Benefit Financing Program in accordance with the procedure set forth under section 6 of this law; provided that in no case shall a property owner that has received funds from another municipal corporation for the acquisition, construction and installation of Energy Efficiency Improvements and/or Renewable Energy Systems be deemed a Qualified Property Owner.

#### **§5. Application criteria**

Upon the submission of an application, EIC acting on behalf of the County of Chautauqua, shall make a positive or negative determination on such application based upon the following criteria for the making of a financing:

- A. The proposed Energy Efficiency Improvements and/or Renewable Energy Systems are determined to be cost effective based on guidelines issued by the Authority;
- B. The property owner may not be in bankruptcy and the property may not constitute property subject to any pending bankruptcy proceeding;
- C. The amount financed under the Energize NY Benefit Financing Program shall be repaid over a term not to exceed the weighted average of the useful life of Renewable Energy Systems and Energy Efficiency Improvements to be installed on the property as determined by EIC;
- D. Sufficient funds are available from EIC to provide financing to the property owner;
- E. The property owner is current in payments on any existing mortgage;
- F. The property owner is current in payments on any existing real property taxes and has been current on real property taxes for the previous three years; and

G. Such additional criteria, not inconsistent with the criteria set forth above, as the County of Chautauqua, or EIC acting on its behalf, may set from time to time.

**§6. Opt-in, Energize NY Finance Agreement**

- A. A Qualified Property Owner may participate in the Energize NY Benefit Financing Program through the execution of an energize NY finance agreement made by and between the Qualified Property Owner and EIC, acting on the behalf of the County of Chautauqua (the “Energize NY Finance Agreement”).
- B. Upon execution of the Energize NY Finance Agreement, the Qualified Property Owner shall be eligible to receive funds from EIC acting on behalf of the County of Chautauqua, for the acquisition, construction, and installation of qualifying Renewable Energy Systems and Energy Efficiency Improvements; provided the requirements of Section 7 of this law have been met.
- C. The Energize NY Finance Agreement shall include the terms and conditions of repayment set forth under section 8 of this law.

**§7. Energy audit, renewable energy system feasibility study**

- A. No funds shall be made available for Energy Efficiency Improvements unless determined to be appropriate through an Energy Audit as defined in Section 2.
- B. No funds shall be made available for a Renewable Energy System unless determined to be feasible through a Renewable Energy System Feasibility Study as defined in Section 2.
- C. The cost of such Energy Audit and/or Renewable Energy System Feasibility Study shall be borne solely by the property owner but may be included in the financed amount if the work is approved.

**§8. Terms and conditions of repayment**

The Energize NY Finance Agreement between the Qualified Property Owner and EIC acting on behalf of the County of Chautauqua, shall set forth the terms and conditions of repayment in accordance with the following:

- A. The principal amount of the funds paid to the Qualified Property Owner hereunder, together with the interest thereon, shall be paid by the property owner as a charge on their County of Chautauqua tax bill and shall be levied and collected at the same time and in the same manner as County of Chautauqua property taxes, provided that such charge shall be separately listed on the tax bill. The County of Chautauqua shall make payment to EIC or its designee in the amount of all such separately listed

charges within 30 days of the date the payment is due to be made to the County of Chautauqua.

- B. The term of such repayment shall be determined at the time the Energize NY Finance Agreement is executed by the property owner and EIC, provided that in no case shall the term exceed the weighted average of the useful life of the systems and improvements as determined by EIC acting on behalf of the County of Chautauqua.
- C. The rate of interest for the charge shall be fixed by EIC acting on behalf of the County of Chautauqua at the time the Energize NY Finance Agreement is executed by the property owner and EIC.
- D. The charge shall constitute a lien upon the real property benefited by the Energize NY Benefit Financing Program as set forth in Article 5-L of the General Municipal Law and shall run with the land. A transferee of title to the benefited real property shall be required to pay any future installments, including interest thereon.

**§9. Verification and report**

- A. EIC shall be responsible for verifying and reporting to the County of Chautauqua on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by such Program.
- B. The County of Chautauqua shall verify and report on the installation and performance of Renewable Energy Systems and Energy Efficiency Improvements financed by the Energize NY Benefit Financing Program in such form and manner as the Authority may establish.

**Section 3.** This local law shall take effect upon filing with the Secretary of State.

LOCAL LAW  
INTRODUCTORY NO. 2-18  
CHAUTAUQUA COUNTY

A LOCAL LAW AMENDING LOCAL LAW 7-90 PROVIDING FOR A MANAGEMENT  
SALARY PLAN FOR COUNTY OFFICERS AND EMPLOYEES  
(RE: DEPUTY COUNTY EXECUTIVE FOR ECONOMIC DEVELOPMENT and  
DIRECTOR OF PLANNING AND COMMUNITY DEVELOPMENT)

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

Section 1. Purpose.

In conjunction with contemporaneous amendments to the Chautauqua County Administrative Code, the purpose of this Local Law is to establish the new titles of “Deputy County Executive for Economic Development” and “Director of Planning and Community Development.”

It is appropriate that County government have an economic development management title at the level of Deputy County Executive to lead all of County government’s efforts to enhance the economy of Chautauqua County, as the work of almost all County departments impacts the County’s economic health. The Deputy County Executive for Economic Development shall also serve as chief administrative officer of the County of Chautauqua Industrial Development Agency.

The Director of Planning and Community Development will lead a newly titled “Department of Planning and Community Development,” whose focus will be planning and community development activities to position Chautauqua County now and in the future as an ideal place to live, work, do business, and recreate.

Section 2. Salary Levels.

The titles of Deputy County Executive for Economic Development and Director of Planning and Community Development shall be placed in Range 10 (\$66,277 to \$101,807) of the 2018 Management Salary Plan.

Section 3. Effective Date.

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



GEORGE M. BORRELLO  
County Executive

**CHAUTAUQUA COUNTY  
OFFICE OF THE COUNTY EXECUTIVE**

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Gerace Office Building – 3 N. Erie St. – Mayville, NY 14757-1007  
(716) 753-4211 – FAX (716) 753-4756 – [borrellog@co.chautauqua.ny.us](mailto:borrellog@co.chautauqua.ny.us) -  
[www.co.chautauqua.ny.us](http://www.co.chautauqua.ny.us)

February 14, 2018

Ms. Katherine K. Tampio  
Clerk of the Chautauqua County Legislature  
3 North Erie Street, GOB  
Mayville, New York 14757

Re: Amendment to Chautauqua County Administrative Code

Dear Ms. Tampio:

Set forth below is a new Section 2.09 of the Chautauqua County Administrative Code that I am promulgating pursuant to Section 3.02(b) of the Chautauqua County Charter, which will take effect thirty (30) days after receipt of this letter by the County Legislature, unless rejected by a 2/3rds majority of the County Legislature. In addition, I am promulgating under the same Charter timeframe an amended Article 6 of the Chautauqua County Administrative Code, as also set forth below:

**[NEW] Section 2.09 Deputy County Executive for Economic Development**

There may be a Deputy County Executive for Economic Development who serves as a member of the County Executive's Cabinet, oversees the economic development efforts of the County across all County agencies and departments, coordinates economic development efforts with economic entities across the County, consults with and advises the County Executive on policies and decisions relative to all facets of the County's economy, including, but not limited to, agriculture, tourism, and industry, and performs such other duties as delegated by the County Executive. The Deputy County Executive for Economic Development shall be appointed by the County Executive and serve at his or her pleasure, and may also serve as chief administrative officer of the County of Chautauqua Industrial Development Agency and shall have all the powers and duties prescribed for such an officer by Article 18A of the General Municipal Law.

[AMENDED BY SUBSTITUTION]

## Article 6

### PLANNING AND COMMUNITY DEVELOPMENT

There may be a member of the County Executive's Cabinet from the Planning and Community Development branch of County government. Such Cabinet member shall be responsible for the oversight of the Department of Planning and Community Development and shall perform such other and related duties required by the County Executive.

#### **Section 6.00 Department of Planning and Community Development**

##### **Section 6.01 Powers and Duties**

##### **Section 6.02 County of Chautauqua Industrial Development Agency**

##### **Section 6.03 Planning Board**

##### **Section 6.04 Environmental Management Council**

#### **Section 6.00 Department of Planning and Community Development**

There may be a Department of Planning and Community Development. Its Director shall be appointed by the County Executive. The Director shall serve at the pleasure of the County Executive and shall have the power to appoint such deputies, assistants and employees of the department as may be necessary to implement the duties of the office, and as shall be authorized by the County Executive. Wherever the appointment of a deputy is authorized, such deputy is hereby authorized to act generally for and in place of the Director. The Director may designate a deputy to also serve as an administrative officer of the Chautauqua County Land Bank Corporation.

##### **Section 6.01 Powers and Duties**

The activities of the Department of Planning and Community Development may include some or all of the following:

(a) Originate programs and activities to improve the community, economy and quality of life in Chautauqua County by working with private interests and public agencies to develop and market Chautauqua County as an ideal place to live, work, do business, and recreate.

(b) Conduct research into business and economic conditions in the county and the municipal subdivisions thereof, and seek to cooperate with official and unofficial bodies organized for such purposes.

(c) Collect and distribute, or cause to be collected and distributed, information relative to regional and community planning and zoning in Chautauqua County.

(d) Coordinate the County's development and planning efforts so that they are directed in a unified manner.

(e) Make recommendations concerning special permits, variances, or adoption or amendment of zoning regulations, upon referral from municipalities pursuant to Section 239-m of the General Municipal Law.

(f) Assist the County Executive in executive planning, including planning for the capital budget and capital improvement program and the preparation of all County plans, and supervise the writing of all planning reports.

(g) Maintain strong relationships with municipalities, promoting inter-municipal cooperation and partnerships and make available to cities, towns, and villages in Chautauqua County, at their request, advice and assistance on matters relating to the planning function.

(h) Coordinate watershed related activities across Chautauqua County to preserve and improve water quality, recreational value and the local environment.

(i) Make surveys, analyses and/or reports of County departments as requested by the County Executive, and assist all other County departments and agencies in their long range planning efforts.

(j) Perform research concerning County programs with a view to obtaining all financial and technical assistance available through local state, federal or other revenue sources.

(k) Coordinate the overall physical development of the County by working with all other governmental entities to ensure economically, aesthetically and environmentally sound growth.

(l) Prepare and update periodically, in consultation with the County Planning Board, a comprehensive master plan for the development of Chautauqua County, which shall include the highways, parks, parkways and sites for public buildings or works including subservice facilities, in the acquisition, financing or construction of which the county has participated or may be called upon to participate, acquire, finance or construct. Such plan shall be submitted for approval to the County Legislature in the manner provided by Section 239-d (2) of the General Municipal Law.

(m) Provide staff assistance for the Planning Board, Environmental Management Council, and Farmland Protection Board.

(n) Perform such other and related duties as shall be required or delegated to such Director by the County Executive.

#### **Section 6.02 County of Chautauqua Industrial Development Agency**

In accordance with Resolution 122-72, there shall be a County of Chautauqua Industrial Development Agency. It shall function as prescribed by this law and Sections 856 and 895-h of the New York State Industrial Development Agency Act, and its membership shall consist of not fewer than three (3) nor more than nine (9) members as follows: the chairman of the Chautauqua County Legislature committee that has primary responsibility for dealing with the economic welfare of the County, who shall serve as an ex officio member with full voting powers; one member appointed by the County Legislature, subject to the County Executive's approval or veto and County legislative reconsideration, as provided in the Chautauqua County Charter; and up to seven (7) members appointed by the County Executive, subject to confirmation by the County Legislature.

In addition to the powers defined in the New York State Act, its principal purpose shall be to borrow money and issue bonds to underwrite undertakings fostered by the Economic Development Advisory Council recommendations and/or Chautauqua County. It shall have all the powers and duties of a County Industrial Development Agency, heretofore or hereafter lawfully granted or imposed by the County Charter, this Code, local law, ordinance or resolution of the Legislature, order or direction of the County Executive, or by any applicable provision of any act of the State Legislature not inconsistent with the County Charter or this Code.

### **Section 6.03 Planning Board**

There shall be a Planning Board composed of eleven (11) members, each serving a term of three (3) years. The Director of Public Facilities and the Director of Finance shall serve as ex-officio, non-voting members of the Planning Board.

The members of such Board shall receive no salary or compensation for their services as members of such Board, but shall, within the appropriations provided therefore, be entitled to the actual and necessary expenses incurred in performing the duties of their office.

The Planning Board shall have all the powers and authority established by Section 239-d of the General Municipal Law. The Director of Planning and Community Development shall advise and guide the Board in its operation, and shall act as its agent in performing the planning function.

### **Section 6.04 Environmental Management Council**

There may be an Environmental Management Council comprised of nine (9) citizen members appointed by the County Executive subject to confirmation by the County Legislature. The Environmental Management Council shall be staffed by the Department of Planning and Community Development and shall have the following powers and duties:

1. The Council may advise the County Executive, the Legislature and the appropriate agencies on all matters affecting the preservation, conservation and ecologically suitable use of the natural and man-made resources of the County.

2. The Council may be responsible for ensuring that the various County departments and agencies be responsible for environmental matters and coordinate their activities and resources.

3. The Council may review the state of the County environment as a whole, and may prepare and submit an annual report of its findings and recommendations to the County Legislature and the County Executive. This report also shall include an account of the Council's activities and accomplishments which shall be based on accurate records of its meetings and other works. Said report may be submitted no later than February 1<sup>st</sup> of each year.

4. The Council, in cooperation with the Department of Planning and ~~Economic~~ Community Development and other appropriate departments and agencies, may prepare and revise a plan for the protection of the County's Environment and the management of its natural and man-made resources, and may transmit it to the County Legislature and the County Executive at regular intervals as necessary, but not greater than three (3) years. In addition, the Council may obtain from the Department of Environmental Conservation a copy of the state environmental plan. To the extent practicable, the preparations, content and subsequent revision, if any, of the County environmental plan shall be coordinated with the State Environmental plan and a copy of said County plan and any subsequent revision shall be filed with the State Commissioner of Environmental Conservation.

5. The Council may investigate and recommend to the County Executive and the County Legislature ecologically sound methods of planning and the use of the County's departments and activities.

6. The Council may keep an index of all open areas within the County, with the plan of obtaining information pertinent to sound ecological utilization of such areas including land owned by

a municipality within the County. It may keep an index of all open marshlands, swamps, and all other wetlands in a like manner, and may recommend a program for their ecologically suitable utilization.

7. The Council may develop and maintain an inventory of natural and man-made resources within the County and such other environmental information as may be appropriate. Said inventory may include wetlands and open spaces and may include, but not be limited to, factors relating to geology, soils, slope, water resources, vegetation, wildlife habitat, unique natural areas, and scenic, historic and archaeological sites.

8. The Council may cooperate with and assist such other governmental or non-governmental boards or organizations in the preparation of plans or reports or the review of proposals or applications as the County may direct.

9. The Council may also conduct research into the land area of the County and may seek to coordinate the activities of unofficial bodies organized for similar purposes. It may advertise, prepare, print and distribute books, maps, charts and pamphlets, if in its judgment it deems them necessary for its work, to the extent funds have been appropriated for such purposes by the County Legislature.

10. When authorized by resolution of the County Legislature, the Council may accept by gift, grant, bequest or otherwise, money or other personal property in the name of the County for use in the furtherance of the provisions of this article.

11. The Council may act as an advocate for the County, when appropriate and when authorized by the County Legislature, in all areas having a bearing on the County and environmental quality.

12. The Council may develop and, after receiving general approval by resolution of the County Legislature, conduct a program of public information in the County which shall be designed to foster increased understanding of the nature of environmental problems and issues and support for their solutions.

13. The Council may encourage the establishment of commissions for conservation of the environment in cities, towns, and villages within the County, advise and assist them in developing their own programs, and foster an effective interchange between the Council and such agencies.

14. The members of the Council, including ex officio members, shall receive no compensation for their services as members thereof but may be reimbursed for reasonable and necessary expenses incurred in the performance of their duties within appropriations made available by the County Legislature.

Sincerely,



George M. Borrello  
Chautauqua County Executive

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**



**TITLE:** Confirm Re-Appointment – Southern Tier Extension Railroad Authority Board of Directors

**BY:** Planning & Economic Development Committee:

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

WHEREAS, George M. Borrello, County Executive, has submitted the following re-appointment for action by the Chautauqua County Legislature, therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Southern Tier Extension Railroad Authority Board of Directors.

Frank J. Gould  
70 Hoag Road  
Ashville, N.Y. 14701  
Term Expires: 2/28/21

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

PMW 1/26/18
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**TITLE:** Confirm Re-Appointments - Chautauqua County Visitors Bureau Board of Directors

**BY:** Planning & Economic Development Committee:

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

WHEREAS, per Resolution 66-84 there shall be two legislators named as voting members of the Chautauqua County Visitors Bureau Board of Directors; and

WHEREAS, the Chairman of the Legislature has submitted the following names for re-appointment by the Legislature; now therefore be it

RESOLVED, That the following named individuals be re-appointed to the the Chautauqua County Visitors Bureau Board of Directors.

Kevin Muldowney  
10 Beach Rd.  
Dunkirk, NY 14048

Elisabeth Rankin  
4 Arlington Ave.  
Jamestown, NY 14701

\_\_\_\_\_  
**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>SMA 2/6/18 KMD 2/6/18 KLC 2/6/18 GMB 2/8/18</b>
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**TITLE:** Government Reduction Initiative (GRI) Assistance for the Town of Cherry Creek

**BY:** Planning & Economic Development and Audit & control Committees:

**AT THE REQUEST OF:** County Executive M. Borrello and County Legislator Terry Niebel:

WHEREAS, pursuant to Local Law 4-17 of the County of Chautauqua, the County is authorized pursuant to a duly adopted resolution to provide assistance to other municipalities in Chautauqua County relating to the implementation of the consolidation and dissolution of local government entities, and

WHEREAS, pursuant to the parameters set forth in Resolution 139-17 authorizing such municipal assistance, it is provided that in the event of a village dissolution, the County will provide to a town in which a dissolving village is located a payment equal to the sales tax payment made to the village in the year preceding the dissolution, but not to exceed \$50,000, and that 50% of such payment may be utilized by the town with no restrictions, and 50% of the remaining funds shall be used for purposes previously undertaken by the village, including, but not limited to, youth programs, senior programs, sidewalk snow removal, and debt service reduction; and

WHEREAS, effective January 1, 2018, the Village of Cherry Creek located in the Town of Cherry Creek dissolved, and pursuant to Resolution 139-17, it is appropriate that the County provide assistance to the Town of Cherry Creek for the ongoing transition and expenses to be incurred by the Town now and in the future; therefore be it

RESOLVED, That for the purpose of enabling the County Executive to enter into an agreement with the Town of Cherry Creek to provide County assistance pursuant to the parameters of Resolution 139-17, the Director of Finance is hereby directed to make the following 2018 budgetary changes:

INCREASE APPROPRIATION ACCOUNT:

A.1010.----.4	Contractual — Legislative Board	\$36,303
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; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance--Unassigned Fund Balance	\$36,303
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

<b>DWM 2-7-18</b>
<b>ABC 2-8-18</b>
<b>SMA 2-8-18</b>
<b>KMD 2/8/18</b>
<b>KLC 2/8/18</b>
<b>GMB 2/12/18</b>

**TITLE:** Amend 2017 Budget for Year End Reconciliations – Planning and Economic Development

**BY:** Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, some Planning and Economic Development Department expenses have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.----.8	Employee Benefits—Planning	\$2,612
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DECREASE APPROPRIATION ACCOUNT:

A.6420.----.8	Employee Benefits—Promotion of Industry	\$2,612
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

DWM 2-1-18
ABC 2-2-18
SMA 2-2-18
KMD 2/2/18
KLC 2/5/18
GMB 2/6/18

**CHAUTAUQUA COUNTY**  
**RESOLUTION NO. \_\_\_\_\_**

**TITLE:** Accept Grant Funding from New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program for B2CI Easements

**BY:** Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the *Chautauqua County Greenway Plan* seeks to capitalize on the County's natural assets by making the County a "four season destination for outdoor active living, nurtured by public/private partnerships" in order to grow the economy and improve the quality of life for its visitors and residents; and

WHEREAS, Chautauqua County residents ranked the Chautauqua Institution to Barcelona Harbor Trail as a top-ranked project in public meetings held in September of 2011, and as a result of this top ranking, the County commissioned the *Barcelona to Chautauqua Institution ("B2CI"): Shared-Use Trail Feasibility Study and Implementation Plan*, which identified that the trail should be constructed in phases; and

WHEREAS, Governor Cuomo launched the Regional Economic Development Councils and the Consolidated Funding Application ("CFA") to provide each region with the tools to create and implement its own roadmap for economic prosperity and job creation, and this community-based model uses local assets to drive local economic growth; and

WHEREAS, the County applied for and was awarded a \$92,511 grant (CFA # 75534) from New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program to acquire access easements along segments of the proposed B2CI trail; and

WHEREAS, the cost of the project is estimated to be \$144,861 and approximately 64% of the project shall be funded through the New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program; and

WHEREAS, the County is responsible for the remaining 36% of the project through an in-kind match of \$14,578 and a cash match of \$37,772, which is to be appropriated in 2018 from the Reserve for Occupancy Tax because the unused portion of 2017 Occupancy Tax funds for trail establishment and development in Chautauqua County, which is set aside annually by Resolution 94-13, will be returned to the reserve at the end of 2017; and

WHEREAS, the County is required to officially accept the New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program grant funding and establish the revenue and expense accounts; therefore be it

RESOLVED, That the County Executive is hereby authorized to officially accept the New York State Office of Parks, Recreation and Historic Preservation Environmental Protection Fund Grants Program grant funding and execute all agreements necessary to implement said funding; and be it further

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

\_\_\_\_\_  
**Date**

RESOLVED, That the A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----883.0000 Fund Balance – Reserve for Occupancy Tax \$37,772

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.6420.----.4 Contractual—Promotion of Industry \$130,283

INCREASE REVENUE ACCOUNT:

A.6420.R371.5000 NYS Aid: Tourism Promotion \$92,511

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**APPROVED**

\_\_\_\_\_  
**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

\_\_\_\_\_  
**Date**

**CHAUTAUQUA COUNTY  
RESOLUTION NO. \_\_\_\_\_**

DWM 1-22-18
ABC 1-29-18
SMA 1-29-18
KMD 1/29/18
KLC 1/31/18
GMB 2/1/18

**TITLE:** Allocation of 3% Occupancy Tax Funding from the 2018 Reserve Account to the Jamestown Renaissance Corporation for “Hello Jamestown” Video Campaign

**BY:** Planning & Economic Development and Audit & Control Committees:

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

WHEREAS, the Jamestown Renaissance Corporation (“JRC”) filed a 3% Occupancy Tax application in a timely manner, which was inadvertently left out of the review process, and therefore not factored into the Tourism Committee’s recommendations for funding; and

WHEREAS, the application was subsequently independently reviewed by the Tourism Committee and based upon a score of 3.35 out of 5.0, would have been eligible for the 3% Occupancy Tax Tourism Project grant funding; and

WHEREAS, if the application was to be incorporated in to the limited fund pool of \$40,526, it would displace funds for two other viable projects that had previously been recommended to be funded; and

WHEREAS, it was determined by the Tourism Committee that based on JRC’s score, the “Hello Jamestown” video campaign warrants funding in the amount of \$5,272; and

WHEREAS, as of February 2018, the current 3% Occupancy Tax Reserve Fund Balance was \$116,207, partially as a result of funds returned to the reserve by JRC from a 2017 project that was not undertaken; and

WHEREAS, the proposed project would greatly benefit Chautauqua County by increasing awareness of the County in the Buffalo market through a variety of media outlets; therefore be it

RESOLVED, That the County Executive is hereby authorized and empowered to enter into an agreement in the amount of \$5,272 of 3% Occupancy Tax with the Jamestown Renaissance Corporation to offset expenses associated with the “Hello Jamestown” video campaign; 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 THE USE OF APPROPRIATED FUND BALANCE:

A.----.----.883 Fund Balance, Reserve Fund Bal- Reserve for Occupancy Tax	\$5,272
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INCREASE APPROPRIATION ACCOUNT:

A.6420.TOUR.4 Contractual – Promotion of Industry, Tourism	\$5,272
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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

\_\_\_\_\_  
**County Executive**

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**Date**