

Regular Meeting
Chautauqua County Legislature
Live Streamed on Social Media
Wednesday, August 24, 2022 6:30 p.m.
Mayville, N.Y. 14757

Chairman Chagnon called the meeting to order at 6:31 p.m.

Chairman Chagnon: I will call to order the meeting of the Chautauqua County Legislature on August 24, 2022. Would the clerk please call the roll?

Clerk Lee called the roll and announced a quorum present (Absent: Gustafson, Hemmer)

Chairman Chagnon: Now I would like you to join me in a moment of silence for Arden Johnson, who passed away July 30th. Arden moved his family to Bemus Point, N.Y., in 1964, and was an insurance claims manager for National Grange Co. until 1984. In 1985 he became a Deputy Chautauqua County Clerk for the Chautauqua County Motor Vehicle Department and served for four years. In 1989, he became office manager for Chautauqua Patrons Insurance and happily remained until his retirement in 2001.

In addition to his employment, Arden was elected to town supervisor of the town of Ellery in 1972 where he first served until 1980 when he became a Chautauqua County Legislator, serving until 1983. After his county tenure, he again was reelected town supervisor and had served graciously in that position continually until his retirement in March of 2022, a total of 50 years. In 2012 Arden was recognized with the New York Senate Liberty Award as the “*Longest Serving Supervisor in New York State*” by then State Senator, Cathy Young. An honor he truly cherished.

Legislator Niebel delivered the prayer and pledge of allegiance.

Chairman Chagnon: Okay, there will be no approval of the minutes from the July 27th meeting because they have not yet been finalized from that long meeting, so we’ll deal with those next month.

1st Privilege of the Floor

Chairman Chagnon: That brings us to our first privilege of the floor. Members of the public may comment on any subject relating to any local law, resolution or motion appearing on the agenda. Individual comments are limited to three minutes and comments representing a group shall be limited to five minutes. Is there anyone wishing to address the first privilege of the floor?

My name is Peter Carlson and I live in Van Buren Bay, right on the edge of Portland and Pomfret. Now you’re doing some work to the sewer districts there which is fine and wonderful but my question is for years now, okay I live in this residence, it has 3 rentals and there is only 1

water meter going in but for years I called up once and they said that's the way it is. I have been billed 4 times the amount or the sewer base for me is \$400 because I have 4 units but only 1 going out and 1 coming in and now –

Chairman Chagnon: Sir, if I could just interrupt you, we're going to have a public hearing on that project and your questions –

Mr. Carlson: That's what this is about right now.

Chairman Chagnon: This is not the public hearing at this point. That'll come a little bit later, a few minutes later in the agenda so at that time, we'll be prepared to listen to your questions and respond.

Mr. Carlson: One more statement. Also, they're charging me a sewer usage now of \$45.97, something is wrong.

Chairman Chagnon: Thank you sir. Is there anyone else wishing to address the first privilege of the floor? And as I was saying we have 2 public hearings in just a little bit later in the agenda. Anyone else wishing to address the first privilege of the floor? Seeing no one, we will at this point – Olivia I will turn it over to you for one more moment.

**VETO MESSAGES FROM COUNTY EXECUTIVE WENDEL
NO VETOES FROM 07/27/2022**

Chairman Chagnon: Okay and I would like to invite the County Executive to come down and introduce a new member of the staff of the County.

County Executive Wedel: (*Inaudible*)

Tim Card: Just real quick I'd like to thank PJ and (*inaudible*) at the County for putting their belief in me in selecting me as the director, Pierre and all the Legislators. Also I would like to thank the citizens of the Town of North Harmony. (*Inaudible*) their support and their trust in me and leaving the town (*inaudible*). I'm thankful and I'm very blessed. I'm looking forward to serving the people of Chautauqua County and doing the best for our community.

Chairman Chagnon: Next on our agenda is a Commendation of the Chautauqua County Sheriff's Department by Legislator Torres.

COMMENDATIONS:

**Chautauqua County Sheriff's Department,
Clymer Fire Department
and
Chautauqua Area Search Team (CAST)
By
Legislator Torres and Legislator Proctor**

PROCLAMATION:

**Declaring the Month of September as
"Childhood Cancer Awareness Month"
By
Chairman Pierre E. Chagnon,
Legislator Martin Proctor
and
County Executive Paul M. Wendel, Jr.**

Clerk Lee: On the agenda there are 13 communications listed. Are there any items you wish you have read aloud? Please contact our office if you would like a copy of any of these items.

COMMUNICATIONS:

1. **Affidavit of Publication (2) – Legal Notice- Publication of Public Hearing
Re: Portland Pomfret Dunkirk Sewer District (Post Journal and Observer)**
2. **Affidavit of Publication (2) – Legal Notice- Publication of Public Hearing
Re: NCIWD No. 1 Water Storage Tower (Post Journal and Observer)**
3. **Affidavit of Publication (2) – Legal Notice- Publication of Local Law
Introductory 10-22 (Post Journal and Observer)**
4. **Affidavit of Publication (2) – Legal Notice – Publication of Public Hearing
Re: Local Law Introductory 6-22 (Post-Journal and Observer)**
5. **Affidavit of Publication (2) – Legal Notice – Publication of Public Hearing
Re: Local Law Introductory 7-22 (Post-Journal and Observer)**
6. **Affidavit of Publication (2) – Legal Notice – Publication of Public Hearing
Re: Local Law Introductory 8-22 (Post-Journal and Observer)**
7. **Letter – NYS Department of State – Acknowledgement of Local Law 5-22**
8. **Minutes – Conewango Watershed Commission – July 13, 2022 Meeting**
9. **Report – NYS Department of Taxation and Finance – 2022 State Equalization
Rates**
10. **Report (4) – Bonadio & Co., LLP – Results of the 2021 Year-End Audit**

11. **Letter – NYS Agriculture and Markets - Chautauqua County Agriculture and Farmland Protection Plan Update**
 12. **Reports – Quarterly reports – Small Business Development Center**
 13. **Reports – Quarterly reports –Business Permit Center**
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PUBLIC HEARINGS

Opened 6:50 P.M.

A Public Hearing Pursuant to County Law §268 Upon a Proposal to Rehabilitate the North County Industrial Water District No. 1 Water Storage Tower

Legislator Bankoski: I just wanted to state that myself and Legislator Niebel were somewhat instrumental and bringing this – it was one of the ARPA projects that originally didn't make the cut but we did some lobbying and it is a very key water storage facility that's in the North County that supports all our large manufacturers such as Nestle Purina so it's very important to rehabilitate this water tower so we can provide that water source to these large employers in our area.

Legislator Niebel: As Bob mentioned, we did secure \$860,000 of our ARPA funding but we'll also be seeking grants so if we get grants that ARPA funding can be repurposed at a later date.

Closed 6:52 p.m.

Opened 6:53 P.M.

A Public Hearing Pursuant to County Law §268 Upon a Proposal to Reduce Infiltration and Inflow in the Portland Pomfret Dunkirk Sewer District

I'm Peter Carlson and I live in Van Buren Bay not Van Buren Point. Supposedly you're not doing anything with us but just off to the left of me there's your pumping station. My issue is for years now it's a residence with 3 apartments in it. We only have 1 water meter. One of the residence is mine, well it was my mothers and now it's mine. I also have another house. Anyhow, we're been being billed a base rate of \$400. We've been being billed until they started this base rate of \$400 and we've only got 1 meter of water coming in and I believe the sewer is supposed to charge for the amount of water you're using and it's by the amount of water you take in and I'm being billed 4 times that amount. Now on the last bill they started something else new called sewer usage. So they're billing me an extra \$45.97 that's probably for the water that I actually use and the sewer. I don't know if it bothers any of you Legislators or not but isn't there something wrong with this? That's my question.

Chairman Chagnon: Sir, that's a legitimate question absolutely. What we're having tonight is a public hearing on a proposal to reduce the amount of infill and infiltration into the system –

Mr. Carlson: And repairing it and also billing us more. And I'm already paying 4 times the amount of anybody else so I don't want to pay more.

Chairman Chagnon: Okay, what I was going to suggest to you is there is a Portland, Pomfret, Dunkirk Sewer District Board of Directors who meet regularly and this is a topic that came up at their last meeting that I was at a week ago and I would take the opportunity to introduce you to the Chairman to the board who is here this evening and –

Mr. Carlson: Excuse me what's your name sir?

Dan Larish: Dan Larish

Chairman Chagnon: If you 2 could get together and find an opportunity to discuss your concerns with the board, I think that would be most appropriate.

Mr. Carlson: Okay, several years ago I did call up about this matter and I was told "that's the way it is" and somethings wrong. Okay, thank you very much for your time. I'm sorry I used it up inappropriately the first time, I usually don't attend these things.

Chairman Chagnon: Is there anyone else wishing to address the public hearing regarding the infiltration and inflow in the Portland Pomfret Dunkirk Sewer District? Sir, please come up to the microphone and introduce yourself.

Thank you. My name is Bob (?). I have a four-season's house in Van Buren Point. I am ecstatic that you are going to upgrade the source. I'm not opposed to that. However, I'm not going to talk about our situation at this hearing but I do think that I do need to talk to somebody about issues on our property because the easements are not correct and in fact they're not correct in all the houses on our street and I'm surprised that when I called other people on our street, no one got a letter but me. I don't know why. Do you have any knowledge of that? So I don't want to take any more time up because I'm not opposed to this however, like this other gentlemen, I've contacted the sewer district in the past where I have been told "it'll be in review and we'll get in touch with you" and nothing. I came down and talked to one of the older, I forget the gentlemen's name but I have it in my brief, the director. He told me that he would have to put it in the budget and I never got anything and I think that this is a critical, without getting into this – it's very critical that we look into this easement because it's nowhere close to the easement when I bought the property. It was on the survey. We built relative to the easement and only to find out years later that the sewer line didn't go where the easement was and it's in a critical area of our building. So I have a mini brief here that I wouldn't mind giving the Director and the Chairman a copy of and they possibly could get back in touch with me, visit the property and see what we might be able to do.

Chairman Chagnon: That was a suggestion I was just going to make. The new Director is sitting in front of you, Matt Oehlbeck, so if you could share your information with Matt, I'm sure that he will look into it and get back to you.

Mr. Carlson: Well after the meeting maybe we could have a couple moments.

Chairman Chagnon: Is there anyone else wishing to address the public hearing regarding the infiltration and inflow in the Portland Pomfret Dunkirk Sewer District?

Closed 6:58 P.M.

LOCAL LAW INTRO. 11-22 – A Local Law Continuing An Additional Mortgage Tax

Chairman Chagnon: Is there any discussion, any comments on the proposed Local Law Introductory 11-22? Any comments? Alright would the clerk please call the roll?

LOCAL LAW INTRO. 11-22 – R/C VOTE: 17 YES; 0 NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

Legislator Harmon: *(Inaudible)*

MOVED by Legislator Harmon, SECONDED by Legislator Vanstrom to rescind Local Law Introductory 6-22.

Chairman Chagnon: Would the County Executive please come down and explain the situation to us?

Country Executive Wendel: Certainly, when I spoke to the Legislature at the last meeting it was part of the events that took place on the 12th of August in which time the County Executive's Office and our District Attorney's Office received calls from all over the world, CNN, places as far as Japan, India, Australia and New Zealand. We realized the critical nature of public information. It's not the public relations component that we were looking for so upon further review, it's better to make sure we have a position that is rightly fitted and rightly described in the job description that is fitting for what we're looking for is a public information officer that is able to disseminate the information, make sure that social media is taken care of and the messages are consistent and professional coming out. As you know, in the midst of prosecuting cases and cases still continuing to come in that information is critical to get out in a timely matter and in a matter that we don't impede or jeopardize the investigations that are going on or in the case of the attack that took place in the Institution, jeopardize an International incident. So I'd ask at this time after further review, we are advised by legal to rescind this Local Law, thank you.

Chairman Chagnon: Thank you. Okay now onto the motion to rescind Local Law Introductory 11-22 are there any question, comments or discussion?

MOTION TO RESCIND LOCAL LAW INTRO. 6-22 – R/C VOTE: 17 YES; 0 NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY CARRIED

RESOLUTIONS:

197-22 Confirm Re-Appointment – Airport Commission, by Public Facilities Committee
UNANIMOUSLY ADOPTED

198-22 Authorize the Conveyance of an Easement and Right of Way to Niagara Mohawk Power Corporation and Dunkirk & Fredonia Telephone, by Public Facilities Committee - UNANIMOUSLY ADOPTED

199-22 Authorize the Portland Pomfret Dunkirk Sewer District to Convey an Easement to the Town of Portland Water District No. 2, by Public Facilities Committee - UNANIMOUSLY ADOPTED

200-22 State Environmental Quality Review Act (SEQRA) Determination Concerning the Reduction of Inflow and Infiltration in the Portland Pomfret Dunkirk Sewer District, by Public Facilities Committee - UNANIMOUSLY ADOPTED

201-22 Determinations in Relation to Reduction of Infiltration and Inflow in the Portland, Pomfret Dunkirk Sewer District, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED

202-22 Establishment of Capital Accounts for Portland Pomfret Dunkirk Sewer District Infiltration and Inflow Reduction Project, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED

203-22 A Resolution Authorizing the Issuance of \$1,612,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the Portland Pomfret Dunkirk Sewer District Infiltration and Inflow Reduction Project, by Public Facilities and Audit & Control Committees

RES. NO. 203-22 – R/C VOTE: 17 YES; NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

204-22 Authorize County to Apply for Grants on Behalf of the Portland, Pomfret, Dunkirk Sewer District for Inflow and Infiltration Repair, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED

205-22 State Environmental Quality Review Act (SEQRA) Determination

Concerning the Rehabilitation of the North County Industrial Water District No. 1 Water Storage Tower, by Public Facilities Committee –
UNANIMOUSLY ADOPTED

206-22 Determinations in Relation to Rehabilitation of the Water Tower of the North County Industrial Water District No. 1, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED

207-22 A Resolution Authorizing the Issuance of \$863,000 Bonds of the County of Chautauqua, New York, to Pay the Cost of the North County Industrial Water District No.1 Water Storage Tank Repair and Rehabilitation Project, by Public Facilities and Audit & Control Committees

RES. NO. 207-22 – R/C VOTE: 17 YES; NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

208-22 Authorize County to Apply for Grants on Behalf of the North County Industrial Water District No. 1 for Water Storage Tower Rehabilitation, by Public Facilities and Audit & Control Committees - UNANIMOUSLY ADOPTED

209-22 Order Extending the North Chautauqua Lake Sewer District, by Public Facilities Committee - UNANIMOUSLY ADOPTED

210-22 Acceptance of Funds from the FAA and NYSDOT for the Chautauqua County/Jamestown Airport Acquire Replacement SRE-Front End Loader, by Audit & Control Committee

Legislator Wilfong: Thank you Mr. Chairman. I'd like to encourage all of the County Legislators to support this valuable piece of equipment for the Jamestown Airport, thank you.

Legislator Scudder: Thank you Mr. Chairman. I appreciate what Legislator Wilfong – his encouraging words and I felt a little bit of a heartbeat increase there but it quickly went back down. I will be voting against this to stay consistent with my not desiring to accept federal funding for the airports which keeps us in the airport business so I will be voting “no”, thank you.

Legislator Vanstrom: I will be voting in favor of this imperative equipment. I support transportation and especially air transportation. The past studies that have been done that we paid for in the past few years, one was with County Executive – the one before Wendel, anyway you know who I'm talking about, our air force pilot and if you take away an airport you take away businesses and economics. It's like a bomb exploding of economic prosperity so I'm going to support this piece of equipment and vote “yes”.

Legislator Scudder: Yeah just to make it clear, I am not against the airports. I am as much in favor of the airports as anyone else in this room. I would like to see them succeed, I just don't

feel like we have a plan in place to move forward to accept these federal funds which keep us in the airport business even though we are in the airport business and I want the airports to be as successful as possible so don't – I don't want anyone to misread my vote, it's not against the airports it's against accepting federal funding that commits us to the airport.

RES. NO. 210-22 - Acceptance of Funds from the FAA and NYSDOT for the Chautauqua County/Jamestown Airport Acquire Replacement SRE-Front End Loader – ADOPTED

- 211-22 Authorize Acceptance of the Gun Involved Violence Elimination (“GIVE”) Grant funds for 2022-2023**, by Public Safety and Audit & Control Committees – UNANIMOUSLY ADOPTED
- 212-22 Amend 2022 Budget for Office of the Sheriff**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 213-22 Amend 2022 Budget for Capital Projects**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 214-22 Authorize Agreement with Town of Sheridan for Court Security Services FY22**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 215-22 Authorize Execution of New York State Office of Homeland Security Grant for Public Safety Answering Point (PSAP) FY21**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 216-22 Authorize Execution of NY State Office of Homeland Security Grant for Interoperability Communications Grant Program (SICG) FY21**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 217-22 Authorize Execution of NYS Office of Homeland Security FY22 State Law Enforcement Terrorism Prevention Program Grant**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 218-22 Authorize Agreement with Chautauqua-Cattaraugus Erie II BOCES for Culinary Arts Instruction 2022-2023**, by Public Safety and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 219-22 Authorize Agreement with Various School Districts for School Resource Officer Services 2022-2023**, by Public Safety and Audit & Control Committees UNANIMOUSLY ADOPTED
- 220-22 Amend 2022 Budget Appropriations to Mental Hygiene for MH Law 43.03**, by Human Services and Audit & Control Committees - UNANIMOUSLY ADOPTED
- 221-22 Amend 2022 Budget to Support Collaborative Children’s Solutions Chris**

Herren Project, by Human Services and Audit & Control Committees –
UNANIMOUSLY ADOPTED

222-22 Authorizing Public Hearing Regarding a Potential Restore NY Communities Initiative Grant Application, by Planning & Economic Development Committee
UNANIMOUSLY ADOPTED

223-22 Approving Labor Contract with CSEA Unit 6300, by Administrative Services and Audit & Control Committees

Legislator Niebel: Thank you Mr. Chairman. This is a 1 year extension of the Unit 6300 Contract. It calls for a 1 time payment of \$750 and a 3% increase in salary for about 900 employees. The cost of this extension is about \$2.3 million. I think the County negotiating team, the union and the County Executive did a very good job. I've reviewed this extension. I think it's fair to the tax payers and to County employees. I'll be voting in favor of this resolution this evening.

RES. NO. 223-22 – R/C VOTE: 17 YES; NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

224-22 Approving Benefits and Wages for Confidential Employees and Unrepresented Employees, by Administrative Services and Audit & Control Committees

RES. NO. 224-22 – R/C VOTE: 17 YES; NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

225-22 Quit Claim Deeds, by Administrative Services and Audit & Control Committees

Legislator Bankoski: Mr. Chairman, I would like to amend that resolution 225-22 Quit Claim Deeds to add the following tax foreclosure auction offer PA-445-2022.

MOVED by Legislator Bankoski, SECONDED by Legislator Harmon to Amend Resolution 225-22

Legislator Scudder: I would encourage everyone to vote for this amendment on the resolution. It was simply a mistake of putting an offer in the wrong pile and it's nice when a mistake- it's not nice when a mistake is made but it's nice when it's easily correctable which this one is so I encourage everyone to vote for this, thank you.

Chairman Chagnon: Any discussion on the motion to amend the Quit Claim Deeds resolution? Hearing none (*inaudible*).

RES. NO. 225-22 MOTION TO AMEND - UNANIMOUSLY CARRIED

Chairman Chagnon: Now, onto the discussion of resolution 225-22 as amended. Any discussion on the resolution as amended? Hearing none, would the clerk please call the roll?

RES. NO. 225-22 – R/C VOTE: 17 YES; NO; 2 ABSENT (Gustafson, Hemmer) – UNANIMOUSLY ADOPTED

ANNOUNCEMENTS

Legislator Penhollow: I just wanted to make an announcement that the Village of Cassadaga will be having their Labor Day Festival September 3rd, 4th and 5th. It's a great time if you're traveling on Route 60, please stop by, thank you.

Legislator Scudder: Thank you Mr. Chairman. This weekend is the ever popular look forward to Fredonia Farm Festival so everybody come on out to the Village of Fredonia, thank you.

Legislator Bankoski: This week we have the National Cabela's Walleye Tournament that's going on starting tomorrow and Friday down at the Dunkirk Pier. The award winning music on the pier this week is being moved to Memorial Park because Cabela's has the Pier pretty much consumed with all their information and cameras and stuff. This is going to be televised on ESPN from this event. So music will be in the park tomorrow night and on Saturday we have the new popular thing it's a lobster fest which will be going on in Memorial Park on Saturday which has grown bigger over the last 3 years. So on behalf of myself and Legislator Muldowney, come on down. We're going to have a little lobster eating contest.

Legislator Harmon: The third Friday in September is the Grape Festival. I think it's the 54th year. It'll be happening before next meeting so I wanted to make an announcement now for the Grape Festival in Silver Creek, New York.

Legislator Proctor: I have 2 announcements. I just want to invite everybody up to Findley Lake over Labor Day weekend for (*inaudible*). The other thing I forgot to mention while we were doing the child cancer awareness was we're wearing these gold Lapel pins that I passed out to the Legislators. I forgot to give PJ his and I'm glad he got one and was so adept at putting it on so quickly but I think we have some more I think if Melissa is still here if anybody wants one I've got a few extra and it's just a reminder of the child cancer awareness.

Legislator Rankin: There is so much to do Labor Day weekend but if you need something to do in Jamestown on Sunday the 4th, come on over to the Labor Day Festival at Bergman Park on Baker Street from noon until dusk. There is music, food, vendors and I think there is a beer tent too, Marty if you'd like to come over. At 4 o'clock is the George Ritzer Labor award and it will wrap up with fireworks at dusk. We'd love to see you there.

Legislator Torres: I would just like to congratulate the Gray family for the signing of Connor Gray to the New York Mets as a pitcher. He's a Frewsburg native so congratulations. My buddy Randy Gray, congratulations.

PRIVILEGE OF THE FLOOR

Members of the public may comment on any subject.

A member of the legislature may speak on any subject.

Individual comments are limited to 3 minutes and comments representing a group shall be limited to 5 minutes.

My name is Peggy Newell and I live at 10 Chautauqua Place in Celoron. For over 30 years we have owned property on Chautauqua Lake in Burtis Bay in the Town of Ellicott. This is not the first time I've come before you about conditions of our shore and near shoreline. We sent an email on August 10th to a number of Chautauqua County officials including some of you in this room. In it, we expressed our concerns and included photos of the state of our shoreline and near shore areas in Burtis Bay both prior to and immediately after the one cleanup that was done in front of our property. Our immediate shoreline is once again in deplorable condition. We've spent the summer looking at it deterioration unable to really enjoy it. We're uncomfortable and embarrassed to invite family and friends for a visit because of how bad it is. Along our shore there is once again massive weeds and harmful algae that is built up. If you're familiar with Celoron and the Town of Ellicott, the area I am referring to is from the apartments next to the new hotel down to the Town of Ellicott Park. This is the same area where the fish kill occurred in the fall of 2018, right in front of our house. The weeds continue to build at our shoreline. They're covered with varied colors of harmful algae blooms. This summer there has been one shoreline cleanup in front of our home. It looked great for one day and then there was a west wind and the weeds filled back. I've gone to the CLA on 2 occasions. The first on August 9th and I was assured that they would be back soon. Yesterday I was told that they've been in our area many more times than one. Yes, they have been because their equipment travels to the areas that they work in. They provided us with maps that showed the paths that they used. Their GPS attests to their presence but not how long they're there and what they're doing. Is this mess of weeds going to remain for the winter just as it did last year and other season before? As lake front property owners were frustrated, tired of the finger pointing and lack of cooperation, excuses that it's not our responsibility, it's not in the budget, it's a State problem, it's a County problem, it's a Town, it's a Village problem. Simply put, we are tired of this. The smell of rotting weeds, our grandchildren not even being able to swim in the water, having to practically beg for our shoreline to be clean, our boats literally getting stuck, getting broke, being embarrassed to host family and friends and the list goes on and on. Residents need assistance from both the town, the village, the county and the state. You've been elected to look out for the interest of the residents of this County, this area and yes, the lake. We all need to be stewards of this lake. It's been suggested that the County finances studied to be done to address this problem. Doesn't it make sense to have an independent firm develop and evaluate several options for this shoreline weed problem? Those aren't our weeds, they come down the lake. They don't just grow in our bay, they keep coming down from the bridge and all the way down. Let it be an independent firm that would do this study with no ties to any of the existing lake agencies with a commitment up front

to defer all the political and special interest overlays until after the evaluation is complete. Something needs to be done and soon or we'll look back at this as the beginning of Burtis Bay becoming a swamp. This is the time to do something. We just ask you to please support the future of Chautauqua Lake. It's the future of our County and lead the residents in coming up with solutions to this problem, thank you.

My name is Michael Newell and I live at 10 Chautauqua Place in Celoron, New York with my wife Peggy. In addition to the email and document my wife, Peggy, referred to previously, this morning we copied some of you on an email reply to the CLA. Attached to it were photos taken this morning at the foot of West Chadakoin and West Livingston Street in Celoron showing the deplorable conditions along the shoreline. For those of you who have not seen the photos, please see me after this meeting or even better, I encourage you to go to the end of these streets and experience it in person. As we noted in the email document of August 9th, we see the need for 3 goals; 1 is short term goal. Immediate cleanup of the rotting weeds along the shoreline must be performed to prevent further sedimentation, destructing of fish spawning areas, the addition of significant (*inaudible*) back into the lake, repugnant smells associated with the rotting weeds, dead fish and yes even dead ducks. Also the associated health risks and concerns to the area residents both on and off the lake caused by the blue, green and red harmful algae blooming in and adjacent to the rotting weeds and wildlife. The CLA indicated they hope to be able to work in this area next week. Hopefully this will occur because this mess cannot be permitted to remain until spring. Goal number 2, midterm; dredging removal of sedimentation along the shoreline in those areas where it is extending the natural shoreline. Thereby reducing water depths and causing the natural water flow to be impeded such as at the foot of West Livingston, West (*inaudible*) at the base of Chautauqua shore apartment break walls etc. Failure to clean up rotting weeds accumulations along the shoreline since the 2019 spring fish kill cleanup has caused the natural shoreline to move out 10 to 15 foot or more in some areas with land based vegetation growing in it. 3, long term goal; a solution must be found or this area will progress even more rapidly down the path it is currently on to becoming a swamp. Whether that solution is (*inaudible*) to intercept the floating weed masses before they reach the shoreline or more frequent cleanups or more equipment or better utilization of existing equipment, additional of volunteer equipment operators, herbicides harvesting, dredging etc. or a combination of these. These need to be studied by a knowledgeable and unbiased 3rd party. We are asking the County to initiate and fund such a study. There is so much more that could be said but I'll end with repeating the invitation that you go to the end of West (*inaudible*), West Chadakoin, or West (*inaudible*) and experience firsthand what the property owners along this shoreline deal with repeatedly year after year then be a leader and take action. Thank you for your time and attention.

Legislator Vanstrom: (*Inaudible*) address those important comments and I know they're real. I have contacted the DEC twice this week to report the conditions and desperately request a representative from their office to come down with their own eye and examine the conditions as well. I also contacted the CLA. They're aware of some trouble areas which are a couple areas with big trouble and they did assure me that it's on their radar but a lot of their staff is trained and also college student age so they lose a lot of staff at this time of the year which is an unfortunate coincidence of timing. Also, I am aware and Elisabeth Rankin and I have been working on this, they are going to be doing – the DEC is going to be having representative's on

board of a boat and some of our high ranking officials locally are going to be involved as well to examine the troubled areas on the boat with the DEC so they can identify what's happening. At this point in the season in certain areas and lot of them are down in Fluvanna, there's a whole patch down there. Burtis Bay has been a big problem and it's like anything that didn't get taken out after it got cut, finds these areas and just sticks right there like glue and cement. I appreciate your time to tell us about that as well.

Chairman Chagnon: Anyone else wishing to address the second privilege of the floor?

MOVED by Legislator Gould, SECONDED by Legislator Bankoski to adjourn.

Unanimously Carried (7:35 p.m.)

Respectfully submitted and transcribed,
Olivia Lee, Clerk of the Legislature & Kristi Zink, Deputy Clerk