

Agenda

Planning & Economic Development Committee

April 19, 2023, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (3/15/23)
- C. Privilege of the Floor
 1. Proposed Resolution – Confirm Appointment- Chautauqua County Food Policy Council
 2. Proposed Resolution – Accept Grant Funding from the New York State Department of State for Phase III of the Northern Chautauqua Local Waterfront Revitalization Program and Amend Capital Budget Fund
 3. Proposed Resolution – Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2023
 4. Proposed Resolution – Authorizing Public Hearing Regarding 8-Year Review of Chautauqua County Agricultural District 7
 5. Proposed Resolution – Amend 2023 Budget to Contribute Local Share for the Northern Chautauqua County Local Waterfront Revitalization Plans, Using Funding from the 2% Occupancy Tax Program Reserve
 6. Proposed Resolution – Amend 2023 Budget to Implement the Acquisition of Lake Maintenance Equipment, Using Funding from the American Rescue Plan Act (ARPA)
 7. Presentation – Chautauqua Jefferson Project – Dr. John Kelly and Michael Hill
 8. Other -

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Confirm Appointment- Chautauqua County Food Policy Council

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, County Executive Paul M. Wendel, Jr. has submitted the following appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following appointment to the Chautauqua County Food Policy Council.

Bethany O'Hagan
1243 Prendergast Ave
Jamestown, NY 14701
Term Expires: 12/31/25
(New-Appointment – Replacing Sarah Moller)

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept Grant Funding from the New York State Department of State for Phase III of the Northern Chautauqua Local Waterfront Revitalization Program and Amend Capital Budget Fund

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

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County is blessed with many sources of fresh water, including several smaller lakes, streams and tributaries, Chautauqua Lake, and Lake Erie; and

WHEREAS, Chautauqua County Comprehensive Plan: Chautauqua 20/20 seeks to capitalize on the County's natural assets, especially its water sources, in order to grow the economy and improve the quality of life for its visitors and residents; and

WHEREAS, the Consolidated Funding Application (CFA) provides 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, local waterfront revitalization plans for Northern Chautauqua County, that seek to identify projects and create and implement strategies to preserve and promote water resources to grow the economy, mitigate unsafe conditions, and improve the quality of life, were initiated in 1998 but never completed; and

WHEREAS, the Municipalities of the City of Dunkirk, Towns of Dunkirk, Hanover, Pomfret, Portland, Sheridan, Ripley, and Westfield; and the Villages of Silver Creek and Westfield are engaged in the development of eight individual Local Waterfront Revitalization Plans (LWRP) that will facilitate community-based waterfront planning and enable the flow of New York State Department of State grant funds for LWRP eligible projects; and

WHEREAS, pursuant to Resolution 57-14, the County accepted a \$65,000 grant (CFA #25697) from the New York State Department of State (NYSDOS) for Phase I of the Local Waterfront Revitalization Program; and

WHEREAS, pursuant to Resolution 253-16, the County accepted a \$50,000 grant (CFA #51568) from the New York State Department of State (NYSDOS) for Phase II of the Local Waterfront Revitalization Program; and

WHEREAS, the County was awarded a \$193,500 grant (CFA #117829) from the NYSDOS for Phase III of the Local Waterfront Revitalization Program; and

WHEREAS, the cost of the project is estimated to be \$258,000, funded 75% from the NYSDOS for the Local Waterfront Revitalization Program and 25% from local sources; and

WHEREAS, Northern Chautauqua Community Foundation Local Economic Development Group, Chadwick Bay Group, and Lake Erie Management Commission have collaborated to provide matching funds of \$35,512, and pursuant to Resolution ___-23, budget amendments were adopted to recognize the \$10,000 contribution from the Lake Erie Management Commission; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, the County previously contributed \$44,802 to the Local Waterfront Revitalization Program and that contribution can now be reduced to \$28,988; and

WHEREAS, the County is required to officially accept the NYSDOS funding and amend the capital budget revenue and expense accounts; therefore be it

RESOLVED, That the County Executive is hereby authorized to officially accept the NYSDOS funding, and execute all agreements necessary to implement Phase III of the Local Waterfront Revitalization Program; and be it further

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

DECREASE THE USE OF FUND BALANCE:

	Unassigned Fund Balance—	
A.-----917.0000	Unassigned Fund Balance	\$15,814

;and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following changes to the 2023 Budget:

INCREASE APPROPRIATION ACCOUNT:

H.8020.37968.4	Contractual - Planning, N Cht Co Loc Wtrft Dev Pln (2016)	\$153,198
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DECREASE APPROPRIATION ACCOUNT:

A.9950.-----9	Interfund Transfers - Transfer to Capital	\$15,814
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ESTABLISH & INCREASE REVENUE ACCOUNTS:

H.8020.37968.R371.5000	New York State Aid-Tourism Promotion	\$143,500
	Departmental Income-	
H.8020.37968.R208.9000	Other Culture & Recreation Income	<u>\$25,512</u>
	Total	\$169,012

DECREASE REVENUE ACCOUNT:

H.8020.37968.R503.1000	Interfund Transfers-Interfund Transfer	\$15,814
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Designate Chautauqua County as Lead Agency Responsible for State Environmental Quality Review (SEQR) of State Funded Snowmobile Trail Modifications for 2023

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, pursuant to Resolution No. 185-12, Chautauqua County acts as the local sponsor for the New York State Office of Parks, Recreation, and Historic Preservations (NYS OPRHP) New York State Snowmobile Trails Grant-in-Aid Program (Program); and

WHEREAS, the Program requires individual participating snowmobile clubs to collect Global Positioning System (GPS) data for their trails at a minimum of every three years; and

WHEREAS, the Program recommends snowmobile clubs stagger their GPS data collection efforts resulting in reroutes/changes every year to be processed by the Department of Planning and Development (DPD); and

WHEREAS, the State Environmental Quality Review (SEQR) requires reroutes or expansions of the existing trail system to have an environmental assessment; and

WHEREAS, the following trails are required to be updated with anticipated SEQR to be completed if modifications were made to the existing trails; and

Trail	Snowmobile Club	Municipality
C4	Chautauqua Lake Snowmobile Club	Chautauqua, Stockton
C4B	Chautauqua Lake Snowmobile Club	Chautauqua, Portland, Stockton
S51A	Chautauqua Lake Snowmobile Club	Chautauqua
C1	Cherry Creek Sno-Goers	Arkwright, Hanover, Villenova
C1A	Cherry Creek Sno-Goers	Hanover, Villenova
C2	Cherry Creek Sno-Goers	Cherry Creek
C4	Cherry Creek Sno-Goers	Cherry Creek, Villenova
C4C	Cherry Creek Sno-Goers	Arkwright, Pomfret, Stockton
S11A	Cherry Creek Sno-Goers	Hanover
S12	Cherry Creek Sno-Goers	Cherry Creek
S14	Cherry Creek Sno-Goers	Hanover
S40A	Cherry Creek Sno-Goers	Charlotte, Stockton
C1D	Ellery Sno-Cruisers	Gerry, Stockton
C4	Ellery Sno-Cruisers	Stockton
C4A	Ellery Sno-Cruisers	Ellery, Ellicott, Gerry, Stockton
S42	Ellery Sno-Cruisers	Ellery, Gerry
S43	Ellery Sno-Cruisers	Ellery, Ellicott

WHEREAS, to avoid delays or rejection, NYS OPRHP recommends obtaining a SEQR determination prior to receiving approval for trails submitted as part of Phase I of the Program; and

WHEREAS, the environmental assessment is the responsibility of an agency that undertakes an action to be the lead agency in the SEQR process; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, final SEQR determination(s) would be required to be reviewed by the Chautauqua County Legislature prior to authorization by the County Executive for specific proposed action; therefore be it

RESOLVED, That Chautauqua County does hereby agree to act as the SEQR Lead Agency for the 2023-2024 Program year and as such is authorized to comply with all SEQR requirements for all snowmobile trails within Chautauqua County applying for State funding including any reroutes or changes to an existing trail receiving State funding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorizing Public Hearing Regarding 8-Year Review of Chautauqua County Agricultural District 7

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Chautauqua County Legislature is responsible for Chautauqua County Agricultural District 7 encompassing the Towns of Clymer, French Creek, Harmony, Mina, North Harmony, and Sherman; and

WHEREAS, Article 25AA section 303-a of the New York State Agriculture and Markets Law authorizes the continuance and modification of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the County received a notification from the New York State Department of Agriculture and Markets to perform an eight-year review for Agricultural District 7; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, a comprehensive eight-year review of Chautauqua County Agricultural District 7 was conducted, and a Notice to Review to accept proposals for modifications to the districts was posted and distributed in accordance with the procedures set forth therein, for the period of March 1, 2023 through March 31, 2023; and

Whereas, the Chautauqua County Agricultural and Farmland Protection Board reviewed the submitted modifications on April 4, 2023, and is finalizing its report and findings of the proposed modifications; and

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, the County must hold a public hearing prior to accepting proposed modifications to an agricultural district; therefore be it

RESOLVED, That the Chautauqua County Legislature hold a public hearing for the aforementioned purposes during the regular meeting of the Chautauqua County Legislature on June 28, 2022 at 6:35pm in the Legislative Chambers, Gerace Office Building, Mayville, New York, where all interested parties shall be heard regarding the proposed 8-year review modifications to Chautauqua County Agricultural District 7; and be it further

RESOLVED, That at least eight (8) days' notice of such hearing shall be given by the Clerk of the Legislature by the due posting thereof in the Gerace Office Building and on the County's website, and by publishing such notices in the official newspapers of the County.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget to Contribute Local Share for the Northern Chautauqua County Local Waterfront Revitalization Plans, Using Funding from the 2% Occupancy Tax Program Reserve

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

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, Lake Erie is an invaluable economic asset to Chautauqua County and the Lake Erie waterfront is an important component of our economy; and

WHEREAS, the Towns of Dunkirk, Hanover, Pomfret, Portland, Sheridan, Ripley, and Westfield; and the Villages of Silver Creek and Westfield (Municipalities) are engaged in the development of a Local Waterfront Revitalization Plan (LWRP) project that will facilitate community-based waterfront planning and enable the flow of New York State Department of State grant funds for LWRP-eligible projects; and

WHEREAS, on behalf of the Municipalities the Chautauqua County Department of Planning and Development has requested a \$10,000.00 contribution to support the cash match requirements of the LWRP program; and

WHEREAS, the Lake Erie Management Commission (LEMC) supports the Municipalities' efforts to plan for waterfront revitalization and desires to make a financial commitment; however, the LEMC's budget for 2023 is within \$1,815.00 of being fully obligated to other projects; and

WHEREAS, the LEMC returned \$12,450.00 to the Occupancy Tax Reserve from its 2022 Budget due to obligations that were approved, but could not be implemented; and

WHEREAS, the 2% Occupancy Tax Program Reserve has a balance of \$791,017 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$10,000.00 from the 2% Occupancy Tax Program Reserve to provide a cash match for the LWRP effort; and be it further

RESOLVED, That the County Executive is hereby authorized to enter into any and all contracts necessary to implement the terms of this resolution; and be it further

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

INCREASE THE USE OF FUND BALANCE:

A.-----889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway \$10,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2023 Adopted Budget:

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

INCREASE APPROPRIATION ACCOUNTS:

A.9950.----.9	Interfund Transfers—Transfer to Capital	\$10,000
H.8020.37968.4	Contractual—Planning, N Cht Co Loc Wtrft Dev Pln (2016)	<u>\$10,000</u>
	Total	\$20,000

INCREASE CAPITAL REVENUE ACCOUNT:

H.8020.37968.R503.1000	Interfund Transfers-Interfund Transfer	\$10,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget to Implement the Acquisition of Lake Maintenance Equipment, Using Funding from the American Rescue Plan Act (ARPA)

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

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr.:

WHEREAS, President Biden signed into law the American Rescue Plan Act (ARPA) on March 11, 2021, and this legislation contains a wide array of stimulus and recovery funding designed to ensure the nation's swift economic and public health recovery from COVID-19; and

WHEREAS, Chautauqua County received an award of \$24,649,420 in ARPA funding, all of which is available for general county spending based on the Treasury Department's revenue loss formula and other guidance; and

WHEREAS, an ARPA Spending Plan was thoroughly reviewed by an ARPA working group, the County Executive, and the County Legislature, and was adopted pursuant to Resolution No. 202-21; and

WHEREAS, some funds allocated in the ARPA Spending Plan are no longer needed for the originally designated project(s), and are now available for other projects, and a procedure has been established for the ARPA working group to review new requests for APPA funds and to allocate the available funds; and

WHEREAS, the acquisition of lake maintenance equipment fits within the guidelines for ARPA spending, is needed because no other program provides for the acquisition of lake maintenance equipment, and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

ESTABLISH & INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.2	Equipment—Planning, Watershed Administration	\$1,004,300
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INCREASE REVENUE ACCOUNT:

A.8020.WTRS.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$1,004,300
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date