

Agenda

Planning & Economic Development Committee

June 21, 2023, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (5/17/23)
- C. Privilege of the Floor
 1. Proposed Resolution – Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal
 2. Proposed Resolution – Accept State Environmental Quality Review (SEQR) of Agricultural District 7 8-Year Review
 3. Proposed Resolution – Accept Proposed Modifications and Continuation of Chautauqua County Agricultural District 7
 4. Proposed Resolution – Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant
 5. Proposed Resolution – Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations
 6. Proposed Resolution – Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve
 7. Discussion – Re-Organization of Finance Department – Kitty Crow
 8. Other -

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorizing Submittal of Application for 2023 Community Development Block Economic Development Grant Funding through the New York State Office of Community Renewal

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

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

WHEREAS, Westfield Maid Cooperative, Inc. or an affiliated entity (the “Company”) plans to develop, equip, furnish and operate a juice production facility at 7505 E. Route 20, Westfield, New York (the “Project”) at an estimated Project cost of \$2.8 million; and

WHEREAS, the Company has requested that Chautauqua County apply for funding on its behalf from the New York State Office of Community Renewal (the “OCR”) to finance a portion of the machinery and equipment and working capital costs associated with the Project, and

WHEREAS, the Chautauqua Region Economic Development Corporation (the “CREDC”) is assisting in the facilitation of the Project and has requested that the County provide the OCR funding to the CREDC as a grant for the purpose of making a loan or loans to the Company, and

WHEREAS, the Project will result in substantial benefit to Chautauqua County in the form of new investment and an estimated 12 new employment positions, and

WHEREAS, the County has held a public hearing to obtain citizens’ views regarding the CDBG program as administered by OCR and the project; now, therefore, be it

RESOLVED, That the County Executive is hereby authorized to submit a grant application on behalf of Chautauqua County to the OCR for an amount to be determined by OCR and expected to be approximately \$180,000, such amount to be provided as a grant to CREDC to provide financing to the Company for a portion of the machinery and equipment and working capital required for the Project and to fund grant administration costs, and be it further

RESOLVED, That the County Executive is hereby authorized to execute a grant agreement between the County and the OCR and all related documents associated with the OCR grant, including entering into a grant agreement with the CREDC for the implementation of the Project and administration of the OCR grant, all such documents to be subject to review and approval by the Chautauqua County Law Department, and be it further

RESOLVED, That the County Executive is hereby designated as the Environmental Certifying Officer for the purposes of complying with the applicable federal environmental review requirements for the OCR grant.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept State Environmental Quality Review (SEQR) of Agricultural District 7 8-Year Review

BY: Planning and Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts; and

WHEREAS, pursuant to Resolution No. 150-22, Chautauqua County is authorized to conduct a coordinated review for purposes of conducting SEQR review for actions taken under the Agricultural District Law, and authorized to use of the short environmental assessment form for agricultural districts; and

WHEREAS, pursuant to 6 NYCRR 617 of the implementing regulations pertaining to the New York State Environmental Quality Review Act (SEQR) of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying Chautauqua County's agricultural district boundaries; and

WHEREAS, the modifications of an agricultural district's boundaries is considered an unlisted action and as such the criteria of 6 NYCRR 617.7, must be used to determine the degree of environmental impact; and

WHEREAS, the Chautauqua County Department of Planning and Development has prepared a short Environmental Assessment Form (EAF) for agricultural districts for consideration by the Chautauqua County Legislature with said EAF indicating that the probability of any adverse impact of proposed modifications to the agricultural districts is very low; and

WHEREAS, the Chautauqua County Legislature has reviewed the EAF and supporting documentation, copies of which are attached; now therefore be it

RESOLVED, That the Chautauqua County Legislature has determined that the modification of the agricultural district boundaries into Chautauqua County Agricultural Districts No. 7 will not have a significant impact and the County Executive is hereby authorized to execute a "Negative Declaration" for the proposed action.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept Proposed Modifications and Continuation of Chautauqua County Agricultural District 7

BY: Planning and Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for the Chautauqua County Agricultural Districts; and

WHEREAS, pursuant to Article 25AA of the Agriculture and Markets Law, the law authorizes the continuance and modifications of agricultural districts within the County of Chautauqua, in accordance with the procedures set forth therein; and

WHEREAS, the Clerk of the Legislature received notification from the New York State Department of Agriculture and Markets to perform an eight-year review of Chautauqua County 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 in 2023; and

WHEREAS, the Chautauqua County Agricultural and Farmland Protection Board reviewed submitted requests to modify the agricultural district boundaries, and recommended to the Chautauqua County Legislature for the continuation of the district with the proposed modifications of the agricultural district boundaries (listed below); and

Parcel ID	Municipality	Acres	Recommendation
400.00-2-13	Harmony	23.2	Add to District
383.04-2-9	Harmony	12.8	Add to District
400.00-2-15.2	Harmony	4	Add to District
383.04-2-7	Harmony	12.1	Add to District
401.00-1-23	Harmony	7.9	Add to District
401.00-1-22.1	Harmony	6.5	Add to District
341.00-1-27	Mina	13.6	Add to District
341.00-1-26	Mina	3.0	Add to District
341.00-1-28	Mina	50	Add to District
398.04-1-4	Harmony	9.5	Add to District

WHEREAS, the requirement of the New York State Environmental Quality Review Act (SEQRA) have been considered, processed, and completed by Chautauqua County, and the Chautauqua County Agricultural and Farmland Protection Board report has been filed with the County Legislature; and

WHEREAS, the required public hearing was held on June 28, 2023, in order to gather input from land owners in the district, now therefore be it

RESOLVED, That it is the determination of the Chautauqua County Legislature for the continuation of Chautauqua County Agricultural District 7 to modify the district in accordance with the recommendations of the Chautauqua County Agricultural and Farmland Protection Board and input gathered from the public hearing; and it is further

RESOLVED, That the Clerk of the County Legislature be and hereby is directed to file this resolution, the Chautauqua County Agricultural and Farmland Protection Board report, and maps with the tax identifications numbers for each parcel, and all things necessary to be filed with the Commissioner of Agriculture and Markets for final certification.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Commitment of Matching Funds for a Grant Application to the New York State Consolidated Funding Application Program for Nonpoint Source Planning Grant

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

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

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened by severe erosion, sedimentation and flooding associated with Bemus Creek; and

WHEREAS, the Chautauqua County Department of Planning and Development and the Chautauqua Lake and Watershed Management Alliance (Alliance) have partnered to provide grant writing and grant administration services, technical services and project oversight in an effort to efficiently deliver beneficial water quality projects that have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are fiercely competitive and require a local match in cash and/or in-kind services; and

WHEREAS, the 2023 CFAs include Nonpoint Source Planning Grants (NPGs) in the amount of \$50,000, which provide funding for stream sediment and debris management planning; and

WHEREAS, the NPGs for stream sediment and debris management planning provides reimbursement for up to 90% of eligible project costs, with applicants providing the remaining local match contribution of at least 10% of the total project costs; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of \$781,017; and

WHEREAS, Chautauqua County, after thorough consideration of the various aspects of the problem and study of available data, has hereby determined that certain work, as described in its application and attachments (herein called the "Project"), is desirable, in the public interest, and required in order to implement the Project; and

WHEREAS, the Environmental Conservation Law ("ECL") authorizes State assistance to municipalities for water quality improvement projects by means of a contract and the County deems it to be in the public interest and benefit under this law to enter into a contract therewith; now therefore be it

RESOLVED, That the County Executive is authorized to apply for a New York State Department of Environmental Conservation NPG grant for funding assistance for a Stream Sediment and Debris Management Plan for the Bemus Creek watershed; and be it further

RESOLVED, That the County shall commit a cash match of \$5,000 in local funding from the 2% Occupancy Tax Reserve toward the Stream Sediment and Debris Management Plan for Bemus Creek Project.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorizing SEQRA Review of 2024 Round of 2% Occupancy Tax Grant Program Recommendations

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

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

WHEREAS, twenty two applications for the 2024 Round of 2% Occupancy Tax Grant Program for lake and stream protection and enhancement projects were received, and the Waterways Panel has carefully reviewed and prioritized the twenty two requests; and

WHEREAS, ten of the twenty two projects submitted for 2% Occupancy Tax funding for the enhancement and protection of waterways have been recommended by the Waterways Panel; therefore be it

RESOLVED, That the Chautauqua County Legislature requests the Division of Planning and Development to arrange for the New York State Environmental Quality Review Act (SEQRA) review of the ten projects recommended by the Waterways Panel for 2024 2% Occupancy Tax funding as follows:

Project/Agency or Organization	Rank	Amount Requested	Amount Recommended
Fairmount Stormwater Basin and Watershed Improvement Project	1	\$40,000.00	\$40,000.00
Town of Ellicott Sediment Traps	2	\$12,250.00	\$52,250.00
Jurkowski Detention Project	3	\$24,885.00	\$77,135.00
Kyser Shoreline Stabilization	4	\$11,300.00	\$88,435.00
Henige Stream Restoration	5	\$7,326.00	\$95,761.00
Soon Stabilization Project	6	\$40,000.00	\$135,761.00
Sheridan Bay Park Climate Resiliency	7	\$40,000.00	\$175,761.00
Wadin Stabilization Project	8	\$18,425.00	\$194,186.00
Wilson Streambank Stabilization	9	\$36,530.00	\$230,716.00
Hilmey Stabilization Project	10	\$20,000.00	\$250,716.00
Porter Avenue Culvert - Pomfret	11	\$40,000.00	
Lighthouse Point Streambank Stabilization	12	\$22,999.00	
Feasibility Study - Goose Creek Stormwater Basin	13	\$32,200.00	
Mud Creek Rehabilitation - Smith/Lorenzi	14	\$35,950.00	
Porter Avenue Culvert - Fredonia	15	\$26,850.00	
Danmore Stabilization Project	16	\$15,050.00	
Kimberly Elste Streambank Stabilization	17	\$35,531.00	
Andrzejewski Stabilization Project	18	\$8,345.00	
Aubry - Chautauqua Lake	19	\$24,000.00	
Dunkirk Harbor - Coastal Landscape Study	20	\$34,440.00	
Fenske Restoration Project	21	\$17,784.00	
Shanahan Near & Far Seawall Construction	22	\$109,000.00	

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

TOTALS		\$652,865.00	\$250,716.00
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APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive **Date**

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget to Implement Lake Erie Sediment Assessments Using Funding from the 3% Occupancy Tax Program Reserve

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

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

WHEREAS, Chautauqua County has established a 3% occupancy tax program for the purposes of promoting, developing, and protecting the area’s tourism industry; and

WHEREAS, the Chautauqua County Soil & Water Conservation District seeks to undertake coastal landscape assessments to create a baseline understanding of sediment movement and wave energy along the Lake Erie shoreline of Chautauqua County; and

WHEREAS, the assessments will focus on the three biggest economic drivers on the Lake Erie shoreline: Hanford/Sunset Bays, Dunkirk Harbor, and Barcelona Harbor; and

WHEREAS, these assessments will develop alternatives for mitigating local concerns and improving resiliency of the communities; and

WHEREAS, the alternatives can then be submitted to state and federal grant programs for final engineering and construction funding; and

WHEREAS, the total cost of the costal landscape assessments is \$255,112 and matching funds that total \$120,000 have been secured from the Lake Erie Watershed Protection Alliance (\$60,000), New York State Sea Grant program (\$55,000) and the Lake Erie Management Commission (\$5,000.00); and

WHEREAS, the 3% Occupancy Tax Program Reserve has a balance of \$722,354 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$135,112 from the 3% Occupancy Tax Program Reserve for the implementation of the coastal landscape assessments; 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 Director of Finance is authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

A.-----883.0000	Reserved Fund Bal – Reserve for Occupancy Tax	\$135,112
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INCREASE APPROPRIATION ACCOUNT:

A.6420.TOUR.4	Contractual – Promotion of Industry, Tourism	\$135,112
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date