

Agenda

Planning & Economic Development Committee

August 16, 2023, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (7/19/23)
- C. Privilege of the Floor
1. Proposed Resolution – Amend 2023 Budget for Chautauqua Lake Collaborative Lake Maintenance Services, Using Funding from the 2% Occupancy Tax Program Reserve
2. Proposed Resolution – Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds for removal of Steel Piles from Dunkirk Harbor
3. Proposed Resolution – Amend 2023 Budget to Implement Chadakoin River Streambank Stabilization at Deming Drive, Using Funding from the American Rescue Plan Act (ARPA)
4. Proposed Resolution – Amend 2023 Budget for Feasibility Study for Proposed Chautauqua County Water District, Using Funding from the American Rescue Plan Act (ARPA)
5. Other -

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget for Chautauqua Lake Collaborative Lake Maintenance Services, 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, Chautauqua Lake is an invaluable resource to Chautauqua County and New York State; and

WHEREAS, the traditional recreation season on Chautauqua Lake once ended with the Labor Day holiday and now extends through September due to increasingly warm Fall temperatures; and

WHEREAS, the longer recreational season on Chautauqua Lake has resulted in increased tourism and Occupancy Tax revenues; and

WHEREAS, lakeshore properties and businesses are in constant need of lake maintenance services and providing lake maintenance services through September will improve the near-shore health of Chautauqua Lake and lake user satisfaction; and

WHEREAS, Chautauqua County's investments in Chautauqua Lake has fostered collaboration and created opportunities to deliver Collaborative Lake Maintenance Services through September 2023 at a cost of \$87,000.00; and

WHEREAS, the 2% Occupancy Tax Program Reserve has an uncommitted balance of \$776,017.00 for projects of special opportunity and need; therefore be it

RESOLVED, That the Chautauqua County Legislature designates \$87,000.00 from the 2% Occupancy Tax Program Reserve to support Collaborative Lake Maintenance Services through September; 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 \$87,000.00

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning, Watershed Administration \$87,000.00

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Use of Lake Erie Management Commission Capital Project
H.8020.37011 Funds for removal of Steel Piles from Dunkirk Harbor

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

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

WHEREAS, pursuant to Resolution 178-11, the Lake Erie Management Commission (LEMC) was created by the Chautauqua County Legislature to prioritize and select Lake Erie watershed projects for funding; seek additional funding for Lake Erie watershed projects; and undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed; and

WHEREAS, historically high Lake Erie water levels and severe weather events during 2019, 2020 and 2021 resulted severe damage to steel dock structures in Dunkirk Harbor; and

WHEREAS, the damaged steel dock structures are a public safety hazard, limit the Harbor's potential for development and should be removed; and

WHEREAS, the City of Dunkirk has solicited a quotation in the amount of \$12,000.00 from a marine Contractor for the steel removal work; and

WHEREAS, using 2% Occupancy Tax Funding, Capital Project H.8020.37011 Lake Erie Mgmt Comm (2020) was created to facilitate projects consistent with the goals of the LEMC; and

WHEREAS, the LEMC Capital Project H. 8020.37011 has an uncommitted balance of \$16,522.00; and

WHEREAS, On July 17, 2023, the LEMC unanimously approved a contribution of \$6,750.00 from the LEMC Capital Project H.8020.37011 to support the removal work; therefore be it

RESOLVED, That the Chautauqua County Legislature authorizes the use of \$6,750.00 from LEMC Capital Project H. 8020.37011 for additional Steel removal from Dunkirk Harbor; 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.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget to Implement Chadakoin River Streambank Stabilization at Deming Drive, 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, Deming Drive is a Village of Falconer street that provides a significant local employer access for employees and heavy trucks carrying raw materials and finished products; and

WHEREAS, a debris jam on the Chadakoin River is causing severe streambank erosion, which left unchecked, will soon wash out Deming Drive; and

WHEREAS, the implementation of the Chadakoin River Streambank Stabilization at Deming Drive fits within the guidelines for ARPA spending, is needed because no other local program provides the resources for streambank stabilizations in this part of Chautauqua County 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:

INCREASE APPROPRIATION ACCOUNTS:

A.8020.WTRS.4	Contractual—Planning & Development	\$40,000
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INCREASE REVENUE ACCOUNT:

A.8020.WTRS.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$40,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend 2023 Budget for Feasibility Study for Proposed Chautauqua County Water District, 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, on July 26, 2023, the ARPA working group committed \$24,000 to investigate the feasibility of creating a Chautauqua County Water District in the Towns of North Harmony and Chautauqua; and

WHEREAS, the implementation of feasibility study to create a Chautauqua County Water District in the Towns of North Harmony and Chautauqua fits within the guidelines for ARPA spending, is needed because no other local program provides the resources for such studies, and budget amendments are necessary to authorize spending for the project; now therefore be it

RESOLVED That the County Legislature of the County of Chautauqua hereby determines that the proposed feasibility study is a Type II action in accordance with 6 NYCRR §617.5(c)(24) in that it constitutes an engineering study which does not commit the County to undertake, fund or approve any SEQR Type I or Unlisted action, and that the engineering study is therefore not subject to further review under 6 NYCRR Part 617; 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 hereby authorized and directed to make the following changes to the 2023 Adopted Budget:

INCREASE APPROPRIATION ACCOUNTS:

A.8020.WTRS.4	Contractual—Planning & Development	\$24,000
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INCREASE REVENUE ACCOUNT:

A.8020.WTRS.R408.9ARP	Federal Aid—Oth Fed Aid ARPA Funds	\$24,000
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APPROVED

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County Executive

Date