

## Agenda

Planning & Economic Development Committee

**October 21, 2020, 6:00 pm, Legislative Chambers and  
Virtual Meeting via Zoom**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (09/16/20)
- C. Privilege of the Floor
- 1. Proposed Resolution – Confirm Appointment – Southern Tier West Regional Planning & Development Board
- 2. Proposed Resolution – Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Repair of the Chadakoin River Flow Gage
- 3. Proposed Resolution – Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Stakeholder Agreement
- 4. Proposed Resolution – Authorize Transfer of Equestrian Trail Equipment to the Chautauqua County Equestrian Trail System, Inc. (CCETS)
- 5. Proposed Resolution – Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by the NYS Division of Tourism
- 6. Discussion – Administrative Code Letter
- 7. Discussion - Budget Review Recap
- 8. Other

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

PMW 10/13/2020
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**TITLE:** Confirm Appointment– Southern Tier West Regional Planning & Development Board

**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 appointments and re-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 Southern Tier West Regional Planning Board.

Chairman Pierre Chagnon  
3714 Westman Road  
Bemus Point, NY 14712  
Term Expires: 12/31/20  
Replacing Legislator Frank J. Gould

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

DWM 9-17-20  
KMD 09/18/20  
ABC 9/21/20  
KLC 9/28/20  
PMW 9/28/20

**TITLE:** Authorize Use of Chautauqua County 2% Occupancy Tax Reserve Funds for Repair of the Chadakoin River Flow Gage

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

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

WHEREAS, Chautauqua County, the New York State Department of Environmental Conservation (NYSDEC), and the United States Geologic Survey (USGS) have cooperatively operated a lake level gage on Chautauqua Lake and a flow gage on the Chadakoin River since 1975; and

WHEREAS, the data provided by the lake and river gages are essential to Chautauqua County, the NYSDEC, and the USGS for water resource management and flood control; and

WHEREAS, the weir for the Chadakoin River flow gage requires repairs to ensure continued functionality at an estimated cost of \$30,000; and

WHEREAS, Chautauqua County, the NYSDEC, and the USGS intend to collaborate on the repairs; and

WHEREAS, the Chautauqua County Department of Public Facilities recommends a remedy whereby concrete and heavy stone riprap will be installed to restore the structural integrity of the weir; and

WHEREAS, the Chautauqua County Department of Public Facilities will obtain permits and deploy labor and equipment to provide an estimated "in-kind" contribution of \$20,000 to implement the remedy; and

WHEREAS, the Chautauqua County Department of Public Facilities has the capacity to acquire competitively priced concrete and heavy stone riprap to support the implementation of the remedy; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of approximately \$264,705; and

WHEREAS, the Chautauqua County Division of Planning and Community Development requests to utilize up to \$10,000 from the 2% Occupancy Tax Reserve to assure adequate resources are available to complete the repairs; therefore, be it

**RESOLVED,** That the Chautauqua County Legislature designates up to \$10,000 from the 2% Occupancy Tax Reserve to be dispersed to the Chautauqua County Department of Public Facilities for implementation of the remedy to restore the structural integrity of the weir; and be it further

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

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**APPROVED**  
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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**                      **Date**

RESOLVED, That the 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 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning, Watershed Administration \$10,000

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

DWM 9-18-20
KMD 09/21/20
ABC 09/21/20
SMA9/21/20
KLC 9/28/20
PMW 9/28/20

**TITLE:** Use of 2% Occupancy Tax Monies to Retain Professional Services to Assist with Developing a Chautauqua Lake Stakeholder Agreement

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

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

WHEREAS, Chautauqua County’s Lakes and Waterways are invaluable assets for Chautauqua County that enhance the environment and quality of life, provide recreational and tourism opportunities, and spur economic development; and

WHEREAS, the health and usability of Chautauqua Lake has been threatened by numerous factors including, but not limited to, proliferation of non-native aquatic plant species, nuisance levels of native vegetation and Hazardous Algal Blooms (“HABS”); and

WHEREAS, pursuant to Resolution 85-19, the Chautauqua County Legislature authorized the use of the 2% Occupancy Tax Reserve to contract for professional services to assist lake stakeholders with the development of a Memorandum of Agreement (“MOA”) that was generally successful in fostering increased stakeholder collaboration and resulted in increased usability of Chautauqua Lake through improved lake maintenance practices; and

WHEREAS, Chautauqua Lake is currently the subject of scientific investigations and demonstration projects by nationally recognized institutions, New York State, and the Federal Government which benefit from the increased collaboration among Chautauqua Lake stakeholders; and

WHEREAS, the term of the current MOA expires April 30, 2021 and Chautauqua County strongly desires to develop a successor MOA that will continue to encourage stakeholder collaboration with the over-arching goal of further improving the health and usability of Chautauqua Lake; and

WHEREAS, Chautauqua County desires to again contract for professional services to assist with the development of a successor MOA at a cost not to exceed \$16,000; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of approximately \$264,705; and

WHEREAS, the Chautauqua County Division of Planning and Community Development requests to utilize up to \$16,000 from the 2% Occupancy Tax Reserve to retain professional services for the preparation of a successor Chautauqua Lake Memorandum of Agreement among lake stakeholders; therefore, be it

RESOLVED, That the Chautauqua County Legislature designates up to \$16,000 from the 2% Occupancy Tax Reserve for professional services in connection with the preparation of a successor Chautauqua Lake Memorandum of Agreement among lake stakeholders; and be it further

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**APPROVED**  
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**VETOES (VETO MESSAGE ATTACHED)**

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

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

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

RESOLVED, That the Fund Balance be appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.-----889.WATR Reserved Fund Balance-MISC RES: Lakes & Watrway \$16,000

; and be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendment to the 2020 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual—Planning, Watershed Administration \$16,000

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

**DWM 10-2-20**  
**KMD 10/02/20**  
**ABC 10/02/20**  
**SMA 10/02/20**  
**KLC 10/5/20**  
**PMW 10/8/20**

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

**TITLE:** Authorize Transfer of Equestrian Trail Equipment to the Chautauqua County Equestrian Trail System, Inc. (CCETS)

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

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

WHEREAS, Chautauqua County is known for its rural charm, agriculture, and natural amenities and is home to over 4,300 horses and many active bridle clubs and corrals; and

WHEREAS, pursuant to Resolution 184-12, Chautauqua County officially accepted funding from the Appalachian Regional Commission (ARC) Area Development Program for the development of Phases I & II of the equestrian trail system; and

WHEREAS, pursuant to Resolution 120-13, Chautauqua County officially accepted funding from the ARC Area Development Program for the development of Phase III of the equestrian trail system; and

WHEREAS, the County purchased equestrian trail equipment needed to upgrade and maintain its equestrian trails pursuant to the terms and conditions of its Phases I & II grant agreement with the ARC; and

WHEREAS, the County may transfer its title to the equestrian trail equipment purchased with its ARC Phases I & II grant funds to a non-Federal entity with no further obligation to the ARC if the equipment's current per unit fair market value is \$5,000 or less and upon the ARC's approval; and

WHEREAS, the Chautauqua County Equestrian Trail System, Inc. (CCETS), a registered not-for-profit equestrian trail group, actively participated in the construction of the County's equestrian trail system and continues to use the equestrian trail equipment purchased by the County to maintain said trails; and

WHEREAS, the County desires to transfer its title to the equestrian trail equipment purchased with its ARC Phases I & II grant funds to CCETS for the aforementioned purposes; and

WHEREAS, the equipment transferred does not exceed the current per unit fair market value of \$5,000; now, therefore be it

RESOLVED, That the County Executive is hereby authorized to enter into any agreements with CCETS to transfer title of the equestrian trail equipment purchased with its ARC Phases I & II grant funds, with the equipment to be utilized by CCETS for continued maintenance of the trails.

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

