

Agenda

Planning & Economic Development Committee

July 17, 2024, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (06/18/24)
- C. Privilege of the Floor
- 1. Proposed Resolution – Requesting AFPB to Remove Parcels from Agricultural District 8
- 2. Proposed Resolution – Authorizing Public Hearing Regarding the Potential Application for 2024 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Such Funding
- 3. Proposed Resolution – Chautauqua County Food Policy Council Dormancy
- 4. Proposed Resolution – Authorize Inter-Municipal Agreement with City of Dunkirk
- 5. Proposed Resolution – Authorizes use of Chautauqua County American Rescue Plan Act (ARPA) to Fund the East Chautauqua Lake Sewer Study
- 6. Proposed Resolution – Amend 2024 Budget to Provide the Federal Cost-Share for the Aquatic Ecosystem Restoration Feasibility Study for Chautauqua Lake
- 7. Presentation – Updates on CCVB Programming – Andrew Nixon
- 8. Other –

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Requesting AFPB to Remove Parcels from Agricultural District 8

BY: Planning and Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislative is responsible for Chautauqua County Agricultural District 8 encompassing the Towns of Busti, Carroll, Chautauqua, Ellery, Ellicott, Kiantone, Poland, and Stockton and the City of Jamestown; and

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

WHEREAS, in accordance with New York State Agriculture and Markets Law Section 303-a, municipalities and land owners within the district may propose a modification of the district;

WHEREAS, S/B/L 198.00-1-36 is an one acre parcel in the Town of Stockton owned by the County of Chautauqua, currently utilized as the site of a radio tower managed by the Sheriff's Office – Technical Services and is no longer being utilized for agricultural production and should be removed from Agricultural District #8; and

WHEREAS, S/B/L 312.00-1-5 is an one acre parcel in the Town of Chautauqua owned by the County of Chautauqua, currently utilized as the site of two lean-to camping structures known as the Westside Camping Site on the Fred J. Cusimano Westside Overland Trail managed by the Department of Public Facilities - Parks and is no longer being utilized for agricultural production and should be removed from Agricultural District #8; now therefore be it

RESOLVED, That the Chautauqua County Legislature requests the Chautauqua County Agricultural and Farmland Protection Board (AFPB) to remove parcels 198.00-1-36 and 312.00-1-5 from Chautauqua County Agricultural District #8 as part of the eight-year review of the District.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorizing Public Hearing Regarding the Potential Application for 2024 Community Development Block Grant Funding through the New York State Office of Community Renewal and the Uses of Such Funding

BY: Planning and Economic Development Committee:

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

WHEREAS, the County desires to submit a Community Development Block Grant (“CDBG”) application to the New York State Office of Community Renewal (“OCR”) for an Economic Development Grant to fund the purchase of furnishings, fixtures, equipment and working capital expenses in connection with an expansion by Busti Tap House, LLC at 792 Busti Sugar Grove Road, Busti, New York (the “Project”); and

WHEREAS, the County’s application for an OCR Economic Development Grant shall include entering into an agreement with the Chautauqua Region Economic Development Corporation (CREDC) for the implementation of the Project and administration of the OCR Economic Development Grant; and

WHEREAS, the County is required to hold a public hearing to provide information to the public and to consider citizen comments regarding community needs and the project proposal prior to submitting an application for CDBG funding; now therefore be it

RESOLVED, That the Chautauqua County Legislature shall hold a public hearing for the aforementioned purposes during the regular meeting of the County Legislature on August 28, 2024, at 6:35 p.m. in the Legislative Chambers, Gerace Office Building, Mayville, New York; and be it further

RESOLVED, That the Clerk of the Legislature is authorized and directed to post notice of the public hearing in the Gerace Office Building and to publish notice of the hearing at least eight (8) days prior thereto in the official newspapers of the County of Chautauqua in such form as is approved by the Chautauqua County Law Department.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Chautauqua County Food Policy Council Dormancy

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: County Executive Paul M. Wendel, Jr. and Chairman Pierre Chagnon:

WHEREAS, the Growing Foods Connections Partnership (“Partnership”) identified Chautauqua County as a Community of Opportunity, and formed the Growing Foods Connections (“GFC”) Committee in 2015; and

WHEREAS, based on recommendations made by the American Farmland Trust and the U. S. Department of Agriculture it was determined the formation of a food policy council to be a top priority for the County’s local food systems; and

WHEREAS, Chautauqua County Health Network, which had received funding to implement programming, and Chautauqua County, through the Division of Planning and Development (CCDPD) entered into an agreement to form a County Food Policy Council to strengthen and sustain the local food system; and

WHEREAS, established by Resolution 119-19, the Council has been active in assessing food policy issues in Chautauqua County, including during the recent pandemic; and

WHEREAS, the appointed members of the council have determined the current needs to aid the local food system are outreach, education, and direct action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby declares dormant the Chautauqua County Food Policy Council, hereinafter referred to as the FPC; and be it further

RESOLVED, That terms of office of the members of the FPC are hereby terminated and the members are released from any further duty or obligation related to the office; and be it further

RESOLVED, That the County Legislature may by resolution reactivate the Council and appoint such members by the procedure of the authorizing resolution at any such time the body should elect.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Authorize Inter-Municipal Agreement with City of Dunkirk

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

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

WHEREAS, Dunkirk Harbor on City of Dunkirk waterfront is an invaluable resource to Chautauqua County and New York State; and

WHEREAS, the Marina in Dunkirk Harbor requires periodic maintenance dredging to maintain functionality; and

WHEREAS, the City of Dunkirk was awarded \$30,000 from the 2024 Round of the 2% Occupancy Tax to undertake engineering design and environmental studies to obtain the required New York State Department of Environmental Conservation and United States Army Corps of Engineers permit for maintenance dredging; and

WHEREAS, the 2024 Budget includes \$243,467 for the implementation of the 2024 Round of the 2% Occupancy Tax to improve the attractiveness and usability of the County's lakes so a budget amendment is not needed; and

WHEREAS, Chautauqua County wishes to enter into an inter-municipal agreement with the City of Dunkirk to obtain the required permit for maintenance dredging of the marina at a cost not to exceed \$30,000; therefore be it

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: Authorizes use of Chautauqua County American Rescue Plan Act (ARPA) to Fund the East Chautauqua Lake Sewer Study

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 \$24,600,000 in ARPA funding, of which \$18,219,169 is available for general county spending based on the Treasury Department's revenue loss formula and other guidance, and the remaining \$6,380,831 in funding can only be spent on designated ARPA categories including premium pay; water, sewer, and broadband projects; and responding to the COVID-19 pandemic and its associated economic impacts; and

WHEREAS, an ARPA working group consisting of the County Executive, several legislators, and several department heads worked for many months to create an ARPA Spending Plan (Plan) consisting of priority projects to address the key strategic categories as defined by the Department of Treasury, to be sustainable, and to have a County-wide impact; and

WHEREAS, the Plan, consisting of the priority projects, was thoroughly reviewed by the 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 East Chautauqua Lake Sewer Study project fits within the guidelines for ARPA spending, is needed because the completion of a municipal wastewater collection system around Chautauqua Lake is consistent with the recommendations of the USEPA and NYSDEC's Total Maximum Daily Load for Phosphorous (TMDL) for Chautauqua Lake, and will have a positive impact on public health and the environmental health of Chautauqua Lake; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby authorizes the use of \$40,000 from ARPA Spending Plan for the East Chautauqua Lake Sewer Study; 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 amendment to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4	Contractual—Planning, Watershed Administration	\$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 2024 Budget to Provide the Federal Cost-Share for the Aquatic Ecosystem Restoration Feasibility Study for Chautauqua Lake

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 excessive weed growth and Harmful Algal Blooms (HABs); and

WHEREAS, excessive weed growth and HABs are caused by external nutrient loading from the watershed and internal nutrient loading from legacy sediment accumulations within the lake; and

WHEREAS, Chautauqua County successfully advocated to our Congressional Representatives for a Federal Authorization in America’s Water Infrastructure Act of 2018 for the United States Army Corps of Engineers (USACE) to undertake the cooperative Aquatic Ecosystem Restoration (AER) Feasibility Study for Chautauqua Lake; and

WHEREAS, Chautauqua County successfully advocated to our Congressional Representatives to include federal funding for the AER Feasibility Study for Chautauqua Lake in the Federal Fiscal Year 24-25 Energy and Water Appropriations Bill, which was signed into law by President Biden in 2024; and

WHEREAS, Chautauqua County desires to partner with USACE and is willing and able to participate as the Non-Federal Sponsor of the proposed AER Feasibility Study for Chautauqua Lake, which has a total cost not to exceed \$3 million dollars; and

WHEREAS, Chautauqua County desires to enter into a Federal Cost Share Agreement (FCSA) with USACE to advance the AER Feasibility Study for Chautauqua Lake, which establishes Chautauqua County’s cost-share commitment at a cost not to exceed \$1.5 million dollars over the three year term of the FCSA; and

WHEREAS, to initiate the AER Feasibility for Chautauqua Lake, Chautauqua County will commit \$600,000 from the 2024 County Budget to fulfill its cost share for Federal Fiscal Year 24-25 and execute the FCSA before September 30, 2024; and

WHEREAS, Chautauqua County has sufficient General Fund Balance to satisfy its federal cost-share for Federal Fiscal Year 24-25; now therefore be it

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 A Fund Balance is appropriated as follows:

INCREASE THE USE OF FUND BALANCE:

A.----.----.917.0000	Unassigned Fund Balance – Unassigned Fund Balance	\$600,000
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; be it further

RESOLVED, That the Director of Finance is authorized and directed to make the following amendments to the 2024 Adopted Budget:

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4	Contractual—Planning, Watershed Administration	\$600,000
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date