

Agenda

Planning & Economic Development Committee

December 11, 2024, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (11/13/24)
- C. Privilege of the Floor
 - 1. Tabled Resolution No. 319-24 – Establish Chautauqua County Water Agency Pursuant to Article 5-A of the County Law
 - 2. Proposed Resolution – Confirm Reappointments and Appointment to Chautauqua County Planning Board
 - 3. Proposed Resolution – Confirm Reappointments and Appointments to the Chautauqua County Agricultural & Farmland Protection Board
 - 4. Proposed Resolution – Accept State Environmental Quality Review of Agricultural District 8 8-Year Review
 - 5. Proposed Resolution – Accept Proposed Modifications and Continuation of Chautauqua County Agricultural District 8
 - 6. Proposed Resolution – Amend 2025 Budget for Snowmobile Trail Development and Maintenance Grant
 - 7. Proposed Resolution – Authorize Memorandum of Understanding for Chautauqua Lake
 - 8. Other –

CHAUTAUQUA COUNTY
TABLED RESOLUTION NO. 319-24

TITLE: Establish Chautauqua County Water Agency Pursuant to Article 5-A of the County Law

BY: Public Facilities and Planning & Economic Development Committees:

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

WHEREAS, the South Chautauqua Lake Sewer District has extended and is continuing to extend public sewers on the west side of Chautauqua Lake between Ashville BOCES and Prendergast Creek; and

WHEREAS, the area on the west side of Chautauqua Lake along West Lake Road (Route 394) from North Maple Street to Hidden Valley Lane has serious quality issues with private water wells; and

WHEREAS, the area on the west side of Chautauqua Lake along West Lake Road (Route 394) from North Maple Street to Hidden Valley Lane has serious capacity issues with private water wells; and

WHEREAS, extending public water supply to the area on the west side of Chautauqua Lake along West Lake Road (Route 394) from North Maple Street to Hidden Valley Lane would improve public health and safety; and

WHEREAS, extending public water supply to the area on the west side of Chautauqua Lake along West Lake Road (Route 394) from North Maple Street to Hidden Valley Lane would complete the availability of public water to the entirety of the west side of Chautauqua Lake; and

WHEREAS, the next step in the process towards implementing the project is to form the Chautauqua County Water Agency which will be tasked with making recommendations to the County Legislature regarding the formation of districts and other pertinent issues; and

WHEREAS, Article 5-A of New York State County Law authorizes the County to create a County Water Agency to evaluate water infrastructure needs, prepare maps and plans, and recommend to the County Legislature the creation of County water district(s) as may be necessary and in the best interest of the people of Chautauqua County; therefore be it

RESOLVED, That there is hereby established a Chautauqua County Water Agency pursuant to Article 5-A of the County Law, initially consisting of five (5) members to serve without compensation, as follows:

1. Two (2) County Legislators appointed by the Chairman of the County Legislature; and
2. Two (2) elected officials representing the municipalities proposed to be included in the regional water district, to include the Supervisors of the Towns of Chautauqua and North Harmony, and their successors in office; and
3. One (1) member appointed by the County Executive

; and be it further

RESOLVED, That it is the intent of the County Legislature to review the makeup of the membership of the Chautauqua County Water Agency as later phases of the project are developed.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

11/13/24 PED – Tabled in committee

11/20/24 LEG – Tabled at full Legislature meeting

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Reappointments and Appointment to Chautauqua County Planning 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 reappointments and appointment for actions by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following reappointments and appointment to the Chautauqua County Planning Board:

Rudy Abersold
43 Putnam Road
Cassadaga, NY 14718
Term Expires: 12/31/2027
(Reappointment)

Zachary Dean
8994 Fredonia Stockton Road
Fredonia, NY 14063
Term Expires: 12/31/2027
(Reappointment)

Bethany O'Hagan
1243 Prendergast Avenue
Jamestown, NY 14701
Term Expires: 12/31/2027
(Reappointment)

Alissa Pekrul
7393 Farrington Hollow Road
Cherry Creek, NY 14723
Term Commence: 1/1/2024
Term Expires: 12/31/2027
(New Appointment – Replacing Mary Ellen Humphrey)

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Reappointments and Appointments to the Chautauqua County Agricultural & Farmland Protection Board

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: Chairman Pierre Chagnon:

WHEREAS, Legislature Chairman Pierre Chagnon, has submitted the following reappointments and appointments for action by the Chautauqua County legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following reappointments and appointments to the Chautauqua County Agricultural & Farmland Protection Board for terms in accordance with Article 25-AA Section 302 of the New York State Agriculture & Markets Law:

Adam Rak
Active Farmer
10277 Christy Road
Fredonia, NY 14063
Term Expires: 12/31/2028
(Reappointment)

Daniel Steward
Agribusiness Representative
4401 Leach Hill Road
Kennedy, NY 14747
Term Expires: 12/31/2028
(Reappointment)

Emily Reynolds
Cornell Cooperative Extension Agent
2644 Waits Corners Road
Sherman, NY 14781
Term Commence: 1/1/2025
Term Expires: 12/31/2028
(New Appointment – Replacing Lisa Kempisty)

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Accept State Environmental Quality Review of Agricultural District 8 8-Year Review

BY: Planning & 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 State Environmental Quality Review (SEQR) for actions taken under the Agricultural District Law, and the 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 of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying the 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. 8 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 8

BY: Planning & 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, Article 25AA of the 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, 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 8; 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 8 was conducted in 2024; 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
198.00-1-36	Stockton	1.28	Remove from District
312.00-1-5	Chautauqua	1	Remove from District
401.00-2-55	Busti	0.98	Remove from District
436.00-2-25	Busti	0.3	Remove from District
437.00-2-3	Busti	1	Remove from District
320.00-1-16	Ellicott	1	Remove from District
267.00-1-13	Stockton	<1	Remove from District
232.00-1-33	Stockton	<1	Remove from District
247.00-2-25	Stockton	<1	Remove from District
214.00-1-15	Stockton	<1	Remove from District
214.00-1-16	Stockton	<1	Remove from 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 December 18, 2024, in order to gather input from landowners 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 8 and 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: Amend 2025 Budget for Snowmobile Trail Development and Maintenance Grant

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

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

WHEREAS, 2025 revenue from the New York State Office of Parks, Recreation, and Historic Preservation Snowmobile Trail Grant-in-Aid Program was estimated based on the previous year's funding award; and

WHEREAS, 2024-2025 Snowmobile Trails Grant-in-Aid Program increased the mileage and high snow rates for this year's season and recalculated high snow miles resulting in an award totaling more than originally estimated; and

WHEREAS, Chautauqua County acts as a pass-through agency for the funding to the local snowmobile club; therefore be it

RESOLVED, That the Director of Finance is hereby authorized and directed to make the following changes to the 2025 Adopted Budget:

INCREASE REVENUE ACCOUNT:

A.8020.----.R388.9002	Other State Aid: Snow Trail	\$64,500
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INCREASE APPROPRIATION ACCOUNT:

A.8020.----.4	Contractual - Planning	\$64,500
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Memorandum of Understanding for Chautauqua Lake

BY: Planning & Economic Development Committee:

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

WHEREAS, Chautauqua Lake is an invaluable asset for Chautauqua County that enhances the environment and quality of life of its residents, provides recreational and tourism opportunities, and spurs 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 Harmful Algal Blooms (“HABs”); and

WHEREAS, pursuant to Resolution 101-19, the County and most all Chautauqua Lake stakeholder municipalities, agencies, and non-profit organizations (“Participants”) entered into the initial two-year 2019 Chautauqua Lake Memorandum of Agreement (“2019 MOA”) that set forth collaborative tenets for weed management practices in Chautauqua Lake through April 2021; and

WHEREAS, a second two-year agreement, the Chautauqua Lake Memorandum of Understanding (“2021 MOU”) was developed as the successor to the 2019 MOA, was endorsed pursuant to Resolution 113-21; and

WHEREAS, the 2021 MOU was amended in 2023 by the Participants to extend the agreement two additional years and will expire on April 30, 2025; and

WHEREAS, the Participants desire enter into a fourth MOU for an additional two years for an extended term through April 30, 2027, and by doing so, confirm a continuing statement of the good faith intent of all Participants to work collaboratively to protect and enhance the health and usability of Chautauqua Lake under the following common principles:

- a. The development of data sets to guide the parties’ collaborations will ultimately improve the health and usability of Chautauqua Lake;
- b. Data and information generated as a result of the implementation of management activities will be shared;
- c. In-lake maintenance activities will be coordinated and integrated;
- d. Opinions will be expressed respectfully regardless of whether in agreement or disagreement with the opinions of others, and it is acknowledged that respectful discussions have a greater potential to achieve improved lake health conditions;
- e. Collaboration will be actively pursued to enhance the parties’ individual efforts; and
- f. Litigation will not be pursued against any other Participant who are or were a party to the 2021, 2023 and 2025 MOU.

; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby endorses the fourth Chautauqua Lake Memorandum of Understanding, from May 1, 2025 to April 30, 2027, to be executed by the County Executive on behalf of the County, together with each and all of the previous cosigners of the Chautauqua Lake Memorandum of Understanding.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date