

Agenda

Planning & Economic Development Committee

January 15, 2025, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (12/11/24)
- C. Privilege of the Floor
 - 1. Proposed Resolution – Confirm Appointments to the Lake Erie Management Commission
 - 2. Proposed Resolution – Confirm Appointment – County of Chautauqua Industrial Development Agency Board of Directors
 - 3. Proposed Resolution – Authorize Repurposing of Capital Project Funds for Jamestown Community College (JCC)
 - 4. Proposed Resolution – Restoring Passenger Air Service to the Chautauqua County Airport at Jamestown
 - 5. Proposed Resolution – Opposition to Lake Erie Wind Turbines and Authorize Necessary Steps to Protect the County’s Interest
 - 6. Discussion – Cassadaga Lake Flooding by Dave McCoy, Chautauqua County Watershed Coordinator
 - 7. Other –

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Appointments to the Lake Erie Management Commission

BY: Planning and Economic Development Committee

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

WHEREAS, pursuant to Resolution 178-11, the County Legislature established the Lake Erie Management Commission (LEMC) with an interim membership and requested that the interim members draft initial by-laws for approval by the County Legislature; and

WHEREAS, pursuant to Resolution 38-12, the LEMC's by-laws were adopted and ten voting members were appointed and confirmed by the Legislature; and

WHEREAS, pursuant to Resolution 273-20, the LEMC's by-laws were amended to increase the number of voting members from ten to twelve members to be appointed and confirmed by the Legislature; and

WHEREAS, commencing immediately, the LEMC requests the Legislature to appoint and confirm the following individuals as voting members going forward; therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms appointment of the following chairman and members of the Lake Erie Management Commission for a term commencing immediately and extending to December 31, 2027:

Zen Olow (Chairman)
23 Bennett Drive
Fredonia, NY 14063

Martha Bills, Town of Westfield Supervisor
Mayors and Supervisors
Town Hall, 23 Elm Street
Westfield, NY 14787

Jim Joy (Farm Bureau)
9825 Farel Road
Fredonia, NY 14066

Jessica Wuerstle (Health Department)
14 North Jerboa Street
Dunkirk, NY 14048

Doug Richmond (Westfield At-Large)
27 Watson Ave.
Westfield, NY 14787

Cassandra Pinkoski (Soil & Water)
11264 Urban Road
Dunkirk, NY 14048

Bob Bankoski (Legislator At-Large)
407 Lake Shore Drive East
Dunkirk, NY 14048

Marcus Buchanan (Legislator At-Large)
200 Brooks Avenue
Dunkirk, NY 14048

Gary Katta (Fish Advisory Board)
9231 Spoden Road
PO Box 461
Fredonia, NY 14063

Ed Schintzius (Hanover At Large)
1182 Stewart Avenue
Silver Creek, NY 14136

Vince DeJoy (Dunkirk At-Large)
98 Forest Avenue
Jamestown, NY 14701

Rebecca Wurster (County At-Large)
Chautauqua County Planning & Development
214 Central Avenue
Dunkirk, NY 14048

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Confirm Appointment – County of Chautauqua Industrial Development Agency Board of Directors

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 appointment to the Chautauqua County Legislature for action; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby confirms the following appointment to the County of Chautauqua Industrial Development Agency Board of Directors.

John Healy
3730 Carol Drive
Bemus Point, N.Y. 14712
Term Expires: 12/31/2027
(New Appointment)
(Replacing Bradley Walters)

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Repurposing of Capital Project Funds for Jamestown Community College (JCC)

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

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

WHEREAS, Capital Project funding was previously approved for the demolition of Jamestown Community College's Annex Building; and

WHEREAS, as JCC works toward demolition, New York's State Historic Preservation Office has deemed the structure to have historic value, eliminating the option of demolition; and

WHEREAS, in order for JCC to pursue other options for this building, asbestos abatement, among other structural improvements, will be necessary; and

WHEREAS, the Chautauqua County Planning Board was approached with this proposed change and is in favor of and recommending the repurposing of original funding from demolition to asbestos abatement; and

WHEREAS, the project was originally funded with serial bonds; and

WHEREAS, the County has sufficient funds in the Reserve for Capital to fund this project thereby reducing borrowing costs; now therefore be it

RESOLVED, That the A Fund Balance is appropriated as follows:

INCREASE THE USE OF RESERVED FUND BALANCE:

A.-----878.0000	Reserved Fund Balance—Reserve for Capital	\$87,500
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; and be it further

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

DECREASE APPROPRIATION ACCOUNT:

H.2490.00860.4	Contractual – Community College Tuition, Community Srvcs Ctr Demo	\$87,500
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DECREASE REVENUE ACCOUNT:

H.2490.00860.R571.0000	Serial Bonds- Proceeds L/T Obligations	\$87,500
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INCREASE APPROPRIATION ACCOUNT:

A.9950.-----9	Interfund Transfers – Transfer to Capital	\$87,500
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ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

H.2490.00018.4	Contractual—Community College Tuition, Community Srvcs Ctr Asbestos Abmt	\$87,500
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ESTABLISH & INCREASE REVENUE ACCOUNT:

H.2490.00018.R503.1000	Interfund Transfer – Interfund Transfers	\$87,500
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; and be it further

RESOLVED, That the Director of Finance, upon completion of the above amendments, close project account H.2490.00860 Community Srvcs Ctr Demo (2012).

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Restoring Passenger Air Service to the Chautauqua County Airport at Jamestown

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: Legislator Pierre Chagnon and Legislator Fred Larson:

WHEREAS, Jamestown, New York had passenger air service from the 1950s until its Essential Air Service was terminated in January 2018; and

WHEREAS, on behalf of the Chautauqua County Airport at Jamestown and the community, ASM and Passero conducted an examination of options for reinstating commercial air service to the airport; and

WHEREAS, the consultants conducted a passenger leakage study using catchment area methodology; and

WHEREAS, at the December 2024 meeting of the Chautauqua County Legislature the consultants presented their study process, the resulting data, and their conclusion that reinstating commercial air service at the Jamestown Airport to a proximate hub can successfully capture significant passenger demand; and

WHEREAS, the consultants believe the sustainable air service solution is the right airline, and the right market, and the right time, and the right aircraft seat capacity; and

WHEREAS, Chautauqua County needs the return of Passenger Air Service to support its economic development efforts; now therefore be it

RESOLVED, The Chautauqua County Legislature directs our consultants to aggressively pursue reinstating commercial air service at the Jamestown Airport; and be it further

RESOLVED, The Chautauqua County Legislature respectfully requests our Federal representatives, our State representatives, Federal and State aviation and transportation agencies, and our community partners to join us in our pursuit to reinstate commercial air service at the Jamestown Airport.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE Opposition to Lake Erie Wind Turbines and Authorize Necessary Steps to Protect the County’s Interest

BY: Planning and Economic Development Committee:

AT THE REQUEST OF: Legislators Tom Harmon, Bankoski, Scudder, Niebel, Penhollow, Johnson and Buchanan:

WHEREAS, New York State has passed the Climate Leadership and Community Protection Act (the Climate Act) calling for seventy percent of electricity in the State to be produced by renewable resources by the year 2030, and one hundred percent of electricity to be generated by emissions-free power generation by the year 2040; and

WHEREAS, wind energy has been designated by the Climate Act as an essential form of renewable energy, and there are a number of commercial wind energy facilities already operating on land in Chautauqua County and Western New York, with more in the planning and permitting stages; and

WHEREAS, as of 2021, NY State’s power grid manager New York Independent Systems Operator (NYISO) determined that the Upstate New York power grid zones were already ninety-two percent zero emissions in the generation of electricity, while the Downstate New York power grid zones were only eight percent zero emissions with eighty-nine percent fossil fuels; and

WHEREAS, the New York State Energy Research and Development Authority (NYSERDA) determined in 2022 that there are many unknowns, such as the effects on marine life and the cost of major, high-cost infrastructure, that strongly suggest this is not the right time to consider constructing offshore wind facilities in Lake Erie; and

WHEREAS, questions and concerns regarding the potential impacts of offshore wind turbines in Lake Erie include the following:

- Disturbance of toxic industrial wastes in the lake bed, that may endanger drinking water and aquatic ecosystems;
- Disruption of migratory pathways and behaviors of economically vital fish species;
- Negative effects on tourism and recreation;
- Unclear contributions to the Climate Act’s emissions reduction goals;
- Radar interference impacting maritime safety, recreational boating, search and rescue operations, and border security;
- Release of microplastics and toxic chemicals, such as BPA and PFAS, from wind turbine materials;
- Risks of oil spills from turbines and maintenance challenges during Lake Erie’s ice-covered periods;
- Noise and vibrations affecting aquatic life and the enjoyment of Lake Erie by residents and visitors;
- Impacts on migratory flyways of birds, bats, and butterflies;
- Effects on historic sites, such as shipwrecks and lighthouses;
- Potential conflicts with the Public Trust Doctrine and the rights of the Seneca Nation of Indians to administer water quality standards; and
- Economic impacts, including increased electricity rates for local residents and reduced property values along the shoreline; and

WHEREAS, approximately twelve million people live in the Lake Erie Watershed, including seventeen different metropolitan areas with more than 50,000 residents, and Lake Erie provides drinking water for about eleven million of those inhabitants, including customers of the City of Dunkirk and North Chautauqua County Water District; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

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WHEREAS, in the mid-twentieth century, Lake Erie was perceived to be dying due to high levels of industrialization and agriculture surrounding the lake, however, due to joint efforts by the United States and Canada to improve the health of Lake Erie, the lake now has a \$12.9 billion dollar tourism and world class fishery economy that must be protected; and

WHEREAS, the Chautauqua County's northwestern boundary runs for approximately 45 miles along Lake Erie, and the presence of wind farms may affect property values and tourism by impacting viewsheds and the natural beauty and tranquility of the waterscape; now therefore be it

RESOLVED, That the Chautauqua County Legislature on behalf of the County of Chautauqua joins with other Western New York municipalities in expressing opposition to the introduction of offshore wind turbine in the waters of Lake Erie at this time; and be it further

RESOLVED, That inclusion of local input in any further study of off-shore wind turbines in the Great Lakes must be given upmost priority and consideration by Federal and State agencies, and Chautauqua County opposes any legislation that would eliminate environmental review and local input in the siting of offshore wind turbines in Lake Erie; and be it further

RESOLVED, That the County Executive and County Law Department are hereby authorized and empowered to take any necessary steps to protect the County's interest in any attempt to site offshore wind turbines in Lake Erie, including joint efforts with other municipalities bordering the Great Lakes; and be it further

RESOLVED, That the Clerk of the Legislature shall forward a certified copy of this resolution to Honorable Governor Kathy Hochul, Honorable United States Congressman Nicholas Langworthy, Honorable New York State Senator George Borrello, and Honorable New York State Assemblyman Andrew Molitor.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date