

Agenda

Planning & Economic Development Committee

February 19, 2025, 6:00 p.m., Legislative Chambers

**Livestreamed on YouTube**

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (1/15/25)
- C. Privilege of the Floor
1. Proposed Resolution – Calling a Public Hearing Pursuant to County Law §254 Upon a Proposal to Extend the Center Chautauqua Lake Sewer District from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake
2. Proposed Resolution – Recommendation to Progress the Center Chautauqua Lake Sewer District Extension Phase 3 Project and Establish Chautauqua County as Lead Agency
3. Proposed Resolution – Amend 2025 Budget – Occupancy Tax Funded Projects
4. Proposed Resolution – Amend 2025 Budget to Replenish the Lake Maintenance Fund
5. Proposed Resolution – Amend 2024 Budget for Year End Reconciliations – Planning and Economic Development
6. Discussion – Department of Planning & Development 2024 Accomplishments, and 2025 Goals & Objectives by Mark Geise, Deputy County Executive for Economic Development
7. Other –

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

**TITLE:** Calling a Public Hearing Pursuant to County Law §254 Upon a Proposal to Extend the Center Chautauqua Lake Sewer District from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake

**BY:** Public Facilities and Planning & Economic Development Committees:

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

WHEREAS, Chautauqua Lake experiences nuisance algal blooms and excessive weed growth as a direct result of excessive phosphorus inputs; and

WHEREAS, in 2004, Chautauqua Lake was officially designated as an impaired water body by the NYS DEC pursuant to Section 303(d) of the federal Clean Water Act due to phosphorus loadings; and

WHEREAS, a Total Maximum Daily Load (TMDL) phosphorus allocation for Chautauqua Lake was completed in 2012, which provides an official regulatory plan for reducing phosphorus inputs and restoring the impaired water body, and requires substantial reductions in phosphorus inputs to Chautauqua Lake; and

WHEREAS, the septic systems which still exist surrounding Chautauqua Lake have been identified as a primary point source of phosphorus inputs to Chautauqua Lake; and

WHEREAS, it is likely that 50% of such existing septic systems in proximity to Chautauqua Lake would fail tests for adequacy pursuant to applicable sanitary codes, and the cost to property owners for replacement of such septic systems can be in a range of \$15,000 to \$35,000 or more; and

WHEREAS, recognizing the need to reduce wastewater phosphorus from entering Chautauqua Lake and to protect private water sources and public health, the County, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in October 2014; and

WHEREAS, a portion of the CLISMP recommendations included the upgrade, extension, and development of sewer infrastructure to replace existing septic systems on the east side of Chautauqua Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the East Chautauqua Lake Sewer Study; and

WHEREAS, extending public sewer infrastructure in the area along the northeast of Chautauqua Lake from Midway State Park through Point Chautauqua would complete the availability of public sewers around the entirety of Chautauqua Lake; and

WHEREAS, pursuant to Resolution 318-24, the Chautauqua County Sewer Agency was established pursuant to Article 5-A of New York State County Law to evaluate sewer infrastructure needs and make recommendations to the County Legislature regarding the creation or extension of County sewer district(s) as may be necessary and in the best interest of the people of Chautauqua County; and

WHEREAS, there are several grant funding opportunities available from New York State Environmental Facilities Corporation and New York State Department of Environmental Conservation, as well as loans with interest rates as low as 0% for 30 years; and

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

WHEREAS, the Chautauqua County Sewer Agency, after thorough review, has transmitted to this Legislature a Map, Plan and Report produced by Square Engineering D.P.C., competent engineers licensed by the State of New York, dated January 2025, entitled "South & Center Chautauqua Lake Sewer District Phase 3" containing recommendations as to the extension of SCCLSD (hereinafter referred to as the Map, Plan and Report) for a maximum amount to be expended of \$35,590,000; and

WHEREAS, the Chautauqua County Sewer Agency and the Administrative Board of Directors of SCCLSD both unanimously recommended the Map, Plan, and Report to the Chautauqua County Legislature; and

WHEREAS, County Law §254 requires this Legislature to call a public hearing on the Map, Plan and Report; now therefore be it

RESOLVED, That a public hearing will be held by the Chautauqua County Legislature at the Legislative Chambers, Gerace Office Building in the Village of Mayville, Chautauqua County, New York on March 26, 2025, at 6:45 o'clock PM, prevailing time, on the proposal to extend the Center Chautauqua Lake Sewer District as set forth in the Map, Plan and Report; and be it further

RESOLVED, That the Clerk of the Legislature is hereby authorized and directed to cause a copy of the Notice of Public Hearing hereinafter provided to be published once in the official newspapers of the County and to be transmitted by first class mail to each assessed owner of property within the proposed extension area of the Center Chautauqua Lake Sewer District as their names and addresses appear on the current assessment roll not less than ten (10) nor more than twenty (20) days before the date designated for the hearing; and be it further

RESOLVED, That the Clerk of the Legislature is directed to cause a certified copy of the Notice of Public Hearing hereinafter provided to be filed with the New York State Comptroller on or about the date of the publication of such notice; and be it further

RESOLVED, That the Notice of Public Hearing shall be in substantially the following form:

#### NOTICE OF PUBLIC HEARING

NOTICE IS HEREBY GIVEN that the County Legislature of the County of Chautauqua, New York will meet in the Legislative Chambers, Gerace Office Building, Mayville, New York on March 26, 2025 at 6:35 o'clock PM, prevailing time, for the purpose of conducting a public hearing on the question of the extension of the Center Chautauqua Lake Sewer District (CCLSD) from Midway State Park through Point Chautauqua on the East Side of Chautauqua Lake for a maximum amount to be expended of \$35,590,000. At such public hearing, the Chautauqua County Legislature will hear all persons interested in the subject matter thereof.

The improvements proposed for CCLSD consist of new facilities for the sewer extension that include a combination of gravity sewers, pressure sewers, grinder pumping stations, and sewage pumping stations, with major components of the system to include: (1) 22,000 feet of gravity sewer mains; (2) 50,150 feet of pressure sewer mains; (3) 7 main pumping stations; and (4) 116 grinder pumping stations. Properties within 500 feet of Rt. 430 (to the East) would be provided public sewer, as well as properties located between Rt. 430 and Chautauqua Lake and a few beyond 500 feet to the East of Rt. 430.

The area to be included within the proposed extension of the CCLSD is set forth as follows: ALL THAT TRACT OR PARCEL OF LAND situate in the Town of Chautauqua and Town of Ellery, County of Chautauqua, State of New York, shown on Figure 2 entitled, "District Boundary Map" of the Map, Plan, and Report of the South & Center Chautauqua Lake Sewer District Phase 3; bounded and described as follows: BEGINNING AT THE POINT OF INTERSECTION, of the north boundary of Parcel 263.00-1-19 and the eastern right-of-way of New York State Route 430; thence easterly along the northern boundary of Parcel 263.00-1-19 a distance of 510 feet more or less to a point on the northern boundary of Parcel 263.00-1-19; thence southerly along a line that is 500 feet easterly offset from and at all points parallel to the

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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County Executive

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Date

centerline of New York State Route 430; thence southerly continuing along the said 500 foot offset line to a point along the eastern boundary of Parcel 263.16-1-2; thence easterly along a line that is 500 feet northerly offset from and at all points parallel to the centerline of County Highway 52; thence easterly continuing along the said 500 foot offset line crossing the rights-of-way of Meadows Road to a point along the westerly boundary of Parcel 264.00-2-16.2; thence southerly along the eastern right-of-way boundary of Meadows Road to the northwestern corner of Parcel 264.00-2-14; thence easterly along the northern boundary of Parcel 264.00-2-14 to the northeastern corner of Parcel 264.00-2-14; thence southerly along the eastern boundary of Parcel 264.00-2-14 to the southeastern corner of Parcel 264.00-2-14; thence proceeding across the rights-of-way of County Highway 52 to the northeastern corner of Parcel 263.20-2-17; thence southerly along the eastern boundary of Parcels 263.20-2-17 and 263.20-2-18 to a point along the eastern boundary of Parcel 263.20-2-18 that is 500 feet easterly offset from and at all points parallel to the centerline of New York State Route 430; thence southerly continuing along the said 500 foot offset line crossing the rights-of-way of Tyler Road to a point along the northern boundary of Parcel 264.00-2-11.2; thence easterly along the northern boundary of Parcels 264.00-2-11.2 and 264.00-2-11.1 to the northeastern corner of Parcel 264.00-2-11.1; thence southerly along the eastern boundary of Parcel 264.00-2-11.1 to the southeastern corner of Parcel 264.00-2-11.1; thence westerly along the southern boundary of Parcel 264.00-2-11.1 to a point that is 500 feet easterly offset from and at all points parallel to the centerline of New York State Route 430; thence southerly continuing along the said 500 foot offset line crossing the rights-of-way of Thum Road, Lewis Road, and Weaver Road to a point along the southern boundary of Parcel 298.00-1-26.1; thence westerly along the southern boundary of Parcel 298.00-1-26.1 to the eastern right-of-way boundary of New York State Route 430; thence southerly along the eastern rights-of-way boundary of New York State Route 430 to a point along the western boundary of Parcel 298.00-2-31.1 that is perpendicular to the intersection of the centerlines of New York State Route 430 and Crestwood Road; thence proceeding perpendicular to the centerline of New York State Route 430 a distance of 360 feet more or less to a point in Parcel 298.00-2-35 that is 500 feet easterly offset from and at all points parallel to the centerline of New York State Route 430; thence southerly continuing along the said 500 foot offset line to a point along the westerly boundary of Parcel 315.00-1-25; thence southerly along the eastern boundary of Parcel 315.00-1-4 to the eastern right-of-way of New York State Route 430; thence northerly along the eastern right-of-way boundary of New York State Route 430 to the southerly corner of Parcel 298.00-2-31.1; thence across the rights-of-way of New York State Route 430 to the northerly corner of Parcel 315.00-1-57; thence northerly along the western right-of-way boundary of New York State Route 430 to the southeastern corner of Parcel 298.01-2-7; thence westerly along the southern boundary of Parcel 298.01-2-7 to a point in the easterly shoreline of Chautauqua Lake; thence northerly along the Chautauqua Lake shoreline to the northwestern corner of Parcel 263.15-1-21.3; thence easterly along the northerly boundary of Parcel 263.15-1-21.3 to the northeastern corner of Parcel 263.15-1-21.3; thence northerly and easterly along the western and northern boundaries of Parcel 263.15-1-21.1 to the northeastern corner of Parcel 263.15-1-21.1; thence northerly along the western boundary of Parcel 263.15-1-22 to the easterly Chautauqua Lake shoreline; thence northerly along the Chautauqua Lake shoreline to the northwestern corner of Parcel 263.15-1-22; thence easterly along the northern boundary of Parcel 263.15-1-22 to the southeastern corner of Parcel 263.10-2-2.3; thence northerly along the eastern boundary of Parcel 263.10-2-2.3 to the northeastern corner of Parcel 263.10-2-2.3; thence easterly and northerly along the northern and eastern boundary of Parcels 263.10-2-2.1 and 263.10-2-2.2 to the westerly right-of-way boundary of New York State Route 430, thence perpendicularly across the New York State Route 430 right-of-way to a point on the western boundary of Parcel 263.00-1-20.2; thence northerly along the easterly right-of-way boundary of New York State Route 430 to said point also being the Point of Beginning.

The capital costs and operation and maintenance expenses for the proposed CCLSD sewer extension will be determined on an equivalent dwelling unit (EDU) basis to new users within the extension area and nine new users within the existing Center Chautauqua Lake Sewer District boundary who will be required to connect based on their proximity to a newly installed forcemain. A listing of tax parcels and EDU determination has been included as Appendix B, in the SCCLSD Map, Plan and Report, which is on file for inspection in the office of the Clerk of the County Legislature, Gerace Office Building, Mayville, New York, and available on-line at <https://chqgov.com/sites/default/files/inlinefiles/SCCLSD%20Phase%203%20MPR.pdf>.

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

The listing of tax parcels and EDU assessment outline how residential, commercial, and vacant properties will be assessed. A single family home constitutes 1 EDU and a two family home constitutes 2 EDUs. The estimated annual cost is \$1,282/EDU, consisting of \$928 per EDU per year for the capital cost, and \$354 per EDU per year for the cost of operating and maintaining the proposed improvements; therefore, properties assessed at 1 EDU will pay \$1,282/year, properties assessed at greater than 1 EDU will pay some multiple of \$1,282 annually, and vacant properties will pay \$100/year.

As a result, the proposed extension of SCCLSD shall have one zone of assessment. Said zone of assessment and allocations of operation and maintenance cost may be changed from time to time by the County Legislature after a public hearing whenever the County Legislature shall determine that such changes are necessary in the public interest. Implementation of the project to extend the SCCLSD is contingent upon the receipt of grants and no-interest financing similar to the estimated amounts set forth in the SCCLSD extension report referenced above.

The estimated unit costs for new users does not include the cost to connect to the system including permit fees to SCCLSD. Each new user is responsible for paying the costs to install a sewer line from their dwelling to the property line (for gravity connections) or to a grinder pumping station installed near the dwelling. Price will vary depending on the type of service and subsurface conditions. A cost of \$4,000 to \$6,000 for the exterior connection is a reasonable budget. Current connection permit fees are \$50 for residential and \$100 for commercial. Reconfiguration of existing plumbing within the dwelling may also be required. There are grants property owners are eligible to apply for to offset the connection cost through the United States Department of Agriculture Rural Development.

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

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

**TITLE:** Recommendation to Progress the Center Chautauqua Lake Sewer District Extension Phase 3 Project and Establish Chautauqua County as Lead Agency

**BY:** Planning and Economic Development Committee:

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

WHEREAS, in 2004, the United States Environmental Protection Agency (USEPA) and the New York State Department of Environmental Conservation (NYSDEC) completed a Total Maximum Daily Load (TMDL) for phosphorous in Chautauqua Lake; and

WHEREAS, the TMDL recommended phosphorous reduction strategies for Chautauqua Lake, including the upgrade, extension, and development of sewer infrastructure around the Lake; and

WHEREAS, the County of Chautauqua, the North Chautauqua Lake Sewer District (NCLSD), the South and Center Chautauqua Lake Sewer Districts (SCCLSD), and other stakeholders worked collaboratively to develop the “Chautauqua Lake Integrated Sewage Management Plan” (CLISMP), which was completed in 2014; and

WHEREAS, pursuant to Resolution 318-24, the Chautauqua County Sewer Agency was formed in accordance with Article 5-A of the County Law and a Preliminary Engineering Report (PER) was prepared to determine the feasibility of sewer collection and treatment for the east side of Chautauqua Lake between the North Chautauqua Lake Sewer District service at Galloway Road and the Center Chautauqua Lake Sewer District service at Midway State Park (the Project); and

WHEREAS, on December 4, 2024 the Sewer Agency met and unanimously approved a motion to accept the Project PER and to recommend the PER to be advanced to a District Extension Map, Plan and Report with funding from the SCCLSD; and

WHEREAS, on December 18, 2024 and pursuant to Resolution 341-24, the Chautauqua County Legislature approved the use of funds from SCCLSD for the completion of the District Extension Map, Plan and Report; and

WHEREAS, on January 6, 2025 the Sewer Agency met and unanimously approved the District Extension Map, Plan and Report and made its recommendation that the Chautauqua County Legislature find it to be in the public interest to begin the District extension process, cause Part 1 of the Long Environmental Assessment Form to be prepared, and establish Chautauqua County as Lead Agency for the SEQR proceedings; therefore be it

RESOLVED, That the Chautauqua County Legislature accepts the recommendation of the Chautauqua County Sewer Agency that the Project be found to be in the public interest, and that the District Extension process be commenced; and be it further

RESOLVED, That the Chautauqua County Legislature has caused the Part 1 of the Long Environmental Assessment Form to be completed and determined that the District Extension Project be designated a “Type I Action” as defined by the State Environmental Quality Review Act (SEQR) in 6 NYCRR Part 617.4; and be it further

RESOLVED, That the Chautauqua County Legislature hereby establishes itself as Lead Agency for the District Extension project and to complete the required environmental review process.

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

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

**TITLE:** Amend 2025 Budget – Occupancy Tax Funded Projects

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

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

WHEREAS, the Chautauqua County Department of Planning & Economic Development (DPD) administers the Chautauqua County Occupancy Tax Program and nine of the sixteen Occupancy Tax funded projects that were included in the 2024 Operating Budget have not been completed; and

WHEREAS, expenditures associated with the total project costs are not included in the 2025 Operating Budget; and

WHEREAS, DPD recommends that the 2025 Operating Budget be increased to fund the completion of the following nine projects:

Hilmey Streambank Stabilization Project in the amount of \$20,000.00, that has been delayed by NYSDEC permitting; and

Henige Stabilization Project in the amount of \$7,326.00, that has been delayed by NYSDEC permitting; and

Town of Ellicott Sediment Traps Project in the amount of \$12,250.00, that has been delayed by NYSDEC permitting; and

Lakewood Fairmount Avenue Stormwater Basin and Watershed Improvement Project in the amount of \$40,000 that has been delayed due to the anticipated execution of a NYS State Assistance Grant; and

Bemus Point Blueway Trail Project in the amount of \$13,500.00, that has been delayed due to NYSDEC authorization to include the former Cheney Farm Wildlife Management Area as a trailhead; and

Chadwick Bay Marina Dredging Permitting Project in the amount of \$30,000.00, that has been delayed; and

Starry Stonewort Control Project in the amount of \$50,000.00, that has been delayed by NYSDEC permitting; and

Town of Westfield Boat Launch Project in the amount of \$49,966.75, that has been delayed by NYSDEC permitting and the outcome of competitive bidding; and

Lake Erie Sediment Assessments, where the amount of \$33,778.00 remains outstanding, pending the receipt of the final Project Reports; now therefore be it

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**APPROVED**

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**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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**Date**

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

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

A. ----. ----.883.0000 Reserved Fund Bal-Reserve for Occupancy Tax \$256,821

; and be it further

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

INCREASE APPROPRIATION ACCOUNTS:

A.8020.WTRS.4 Contractual-Planning Watershed Administration	\$223,043
A.6420.TOUR.4 Contractual-Promotion of Industry, Tourism	<u>\$33,778</u>
Total	\$256,821

APPROVED

VETOES (VETO MESSAGE ATTACHED)

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County Executive

\_\_\_\_\_  
Date



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

**TITLE:** Amend 2025 Budget to Replenish the Lake Maintenance Fund

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

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

WHEREAS, a Lake Maintenance Fund of \$500,000 was established in the 2024 Budget to provide funding for lake associations and municipalities challenged by lake maintenance issues that impact the attractiveness and usability of the County's Lakes; and

WHEREAS, a total of \$149,500 was obligated from the Lake Maintenance Fund during the 2024 Budget Year; and

WHEREAS, it is necessary to amend the 2025 Budget to re-appropriate the unspent balance in the amount of \$350,500 so it is available to use for its intended purpose; now therefore be it

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

INCREASE THE USE OF FUND BALANCE

A. ----. ----.917.0000 Unassigned fund balance-Unassigned fund balance \$350,500

; and be it further

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

INCREASE APPROPRIATION ACCOUNT:

A.8020.WTRS.4 Contractual - Planning-Watershed Administration \$350,500

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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**County Executive**

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

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

**TITLE:** Amend 2024 Budget for Year End Reconciliations –  
Planning and Economic Development

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

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

WHEREAS, some Planning and Economic Development departmental expenditures have exceeded initial budgetary estimates, as well as some appropriations have a surplus; now therefore be it

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

INCREASE APPROPRIATION ACCOUNTS:

A.6420.----.1	Personal Services - Promotion of Industry	\$9,325
A.8020.WTRS.8	Employee Benefits - Watershed Administration	<u>\$18</u>
	Total	\$9,343

DECREASE APPROPRIATION ACCOUNTS:

A.6420.----.8	Employee Benefits - Promotion of Industry	\$8,328
A.8020.WTRS.1	Personal Services - Watershed Administration	<u>\$1,015</u>
	Total	\$9,343

**APPROVED**

**VETOES (VETO MESSAGE ATTACHED)**

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County Executive

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Date