

Agenda

Planning & Economic Development Committee

June 16, 2021, 6:00 p.m., Legislative Chamber and Virtually by Zoom

Livestreamed on the County's Facebook Page

Gerace Office Building, Mayville, NY

- A. Call to Order
 - B. Approval of Minutes (5/19/21)
 - C. Privilege of the Floor
 - 1. Proposed Resolution – Confirm Appointments – Chautauqua County Food Policy Council
 - 2. Proposed Resolution – Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency
 - 3. Proposed Resolution – Approve Updated By-Laws for Southern Tier West Regional Planning and Development Board
 - 4. Proposed Resolution – Authorize Use of Lake Erie Management Commission Capital Project H.8020.37011 Funds to Co-Fund Dunkirk Lighthouse and Veterans Park Museum Perimeter Fence
 - 5. Proposed Resolution – Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications
 - 6. Proposed Resolution – Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications
 - 7. Discussion – Update – Cornell Cooperative Ext. Agriculture Programs – Emily Reynolds
 - 8. Other
- * The public may attend in person or view the meeting on the County Facebook page. COVID-19 guidelines will be in effect.
- ** Public comments may be submitted to the Clerk of the Legislature prior to the meeting to be read during the privilege of the floor.

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

PMW 6/10/2021

TITLE: Confirm Re-Appointments - Chautauqua County Food Policy Council

BY: Planning & Economic Development Committee:

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

WHEREAS, the Chautauqua County Food Policy Council was created by Resolution 119-19; and

WHEREAS, a food policy council serves as a network to bring stakeholders both directly and indirectly involved in a food system together to increase communication between sectors and to strengthen and build healthy, sustainable communities; and,

WHEREAS, Resolution 119-19 provides that the membership of the Council will consist of a minimum of thirteen members, comprising seven reserved seats and six community seats; and

WHEREAS, additional seats may be added as recommended by the Council, but total membership will not exceed fifteen members; and

WHEREAS, County Executive Paul M. Wendel, Jr., has submitted the following re-appointment for action by the Chautauqua County Legislature; therefore be it

RESOLVED, That the Chautauqua County Legislature does hereby confirm the following re-appointment to the Chautauqua County Food Policy Council:

Kate Ewer
106 Hoag Rd..
Ashville, NY 14710
Cornell Cooperative Extension
Term Expires: 12/31/23

Sue Abers
884 Route 394
Kennedy, NY 14747
Community Member/ Abers Acres
Term Expires: 12/31/23

James Galbato
10 Hunt Rd.
Jamestown, NY 14701
Wholesale/Transportation Brigiotta's
Term Expires: 12/31/23

Linda DeJoseph
302 State St.
Jamestown, NY 14701
Community Member/ JCC Food
Pantry Coordinator
Term Expires: 12/31/23

_____ **APPROVED**

_____ **VETOES (VETO MESSAGE ATTACHED)**

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Amend Resolution 315-17 Regarding Membership of Chautauqua Lake Protection and Rehabilitation Agency

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: Chairman Pierre Chagnon:

WHEREAS, pursuant to Resolution 315-17, the County Legislature established the Chautauqua Lake Protection and Rehabilitation Agency (“the Agency”) to review and recommend to the County Legislature whether it is in the best interest of the County to create Chautauqua Lake Protection and Rehabilitation District(s) pursuant to Article 5-A of the County Law; and

WHEREAS, Resolution 315-17 provided that it was the intent of the County Legislature to periodically review the makeup of the membership of the Agency; and

WHEREAS, it would be advantageous to expand the membership of the Agency to include an elected official from each of the towns and villages bordering Chautauqua Lake; therefore be it

RESOLVED, That Resolution 315-17 is hereby amended to provide that the membership of the Agency shall be increased from nine (9) members to thirteen (13) members, as follows:

1. Two (2) County Legislators representing legislative districts bordering Chautauqua Lake to be appointed by the Chairman of the County Legislature;
2. Five (5) ~~Three (3)~~ Town elected officials representing each of the towns bordering Chautauqua Lake to be appointed by the County Executive;
3. Four (4) ~~Two (2)~~ Village elected officials representing each of the villages bordering Chautauqua Lake to be appointed by the County Executive;
4. One (1) property owner from the vicinity of Chautauqua Lake to be appointed by the County Executive; and
5. One (1) member representing Chautauqua Institution to be appointed by the County Executive; and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

CHAUTAUQUA COUNTY
RESOLUTION NO. _____

SMA 6/07/21

TITLE: Approve Updated By-Laws for Southern Tier West Regional Planning and Development Board

BY: Planning & Economic Development Committee:

AT THE REQUEST OF: Chairman Pierre Chagnon:

WHEREAS, the Southern Tier West Regional Planning and Development Board (Southern Tier West) was created by the mutual agreement of the counties of Allegany, Cattaraugus, and Chautauqua pursuant to Article 12-B of New York General Municipal Law; and

WHEREAS, pursuant to Section 239-h(3)(g) of General Municipal Law, the legislative body of each participating county must approve the by-laws of Southern Tier West; and

WHEREAS, the executive director of Southern Tier West forwarded to the Chairman of the County Legislature updated by-laws dated May 21, 2021 that have been recommended by the Southern Tier West Board, and which are on file with the Clerk of the County Legislature and which were circulated with legislative committee pre-files; therefore be it

RESOLVED, That the Chautauqua County Legislature approves the aforementioned updated by-laws for the Southern Tier West Regional Planning and Development Board.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

DLM 5/24/21
KMD 05/25/21
ABC 05/26/21
KLC 6/7/21
PMW 6/7/21

TITLE: Authorize Use of Lake Erie Management Commission Capital Project
H.8020.37011 Funds to Co-Fund Dunkirk Lighthouse and Veterans Park Museum
Perimeter Fence

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

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

WHEREAS, pursuant to Resolution 178-11, the Lake Erie Management Commission (LEMC) was created by the Chautauqua County Legislature to prioritize and select Lake Erie watershed projects for funding; seek additional funding for Lake Erie watershed projects; and undertake such other initiatives and coordination activities for the betterment of the Lake Erie watershed; and

WHEREAS, over the last ten years, the LEMC has effectively identified, prioritized, and recommended and delivered 2% Occupancy Tax Funding to stakeholders and municipalities in the Lake Erie Watershed; and

WHEREAS, the Dunkirk Lighthouse was first established on Dunkirk Harbor in 1827, is a prominent historical landmark on the Great Lakes Navigation System, is the site of “the first shot being fired during the War of 1812,” and is visited by thousands of tourists each year; and

WHEREAS, historically high Lake Erie water levels and severe weather events during 2019 and 2020 caused extensive erosion of the Lake Erie shoreline; and

WHEREAS, portions of the shoreline cliff at the historic Dunkirk Lighthouse and Veterans Park Museum at Dunkirk Harbor have collapsed and destroyed sections of the existing perimeter safety fence; and

WHEREAS, the Dunkirk Lighthouse and Veterans Park Museum has approached the LEMC with a plan to repair and upgrade the perimeter safety fence at a cost of approximately \$60,000; and

WHEREAS, on May 17, 2021, the LEMC unanimously approved a resolution to co-fund the Dunkirk Lighthouse and Veterans Park Museum’s effort to repair and upgrade the perimeter safety fence at a cost not to exceed \$10,000; and

WHEREAS, using 2% Occupancy Tax Funding, capital project H.8020.37011 Lake Erie Mgmt Comm (2020) was created to facilitate projects consistent with the goals of the LEMC, and the capital project has a budget of \$52,522; therefore be it

RESOLVED, That the Chautauqua County Legislature authorizes the use of up to \$10,000 from capital project H.8020.37011 to reimburse the Dunkirk Lighthouse and Veterans Park Museum for the repair and upgrade of the perimeter safety fence that will provide safe viewing of Lake Erie and protect the sensitive shoreline cliff area; and be it further

RESOLVED, That the County Executive is hereby authorized to establish accounts and enter into any and all agreements necessary to implement the terms of this resolution.

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

MRG 5-28-21
ABC 5/28/21
KMD 06/01/21
SMA 06/01/21
KLC 6/1/21
PMW 6/1/21

TITLE: Accept Environmental Assessment (SEQRA) of Proposed Agricultural District Modifications

BY: Planning & Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

WHEREAS, pursuant to 6 NYCRR 617 of the implementing regulations pertaining to the New York State Environmental Quality Review Act (SEQRA) of the Environmental Conservation Law, the Chautauqua County Legislature, as lead agency, must evaluate the environmental impact of modifying the County's agricultural district boundaries; and

WHEREAS, the modification 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 County Department of Planning and Development has prepared an Environmental Assessment Form (EAF) for consideration by the 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 and consolidation of the agricultural district boundaries into Chautauqua County Agricultural Districts No. 1, 7, 8, and 10 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. _____**

MRG 5-28-21
ABC 5/28/21
KMD 06/01/21
SMA 06/01/21
KLC 6/1/21
PMW 6/1/21

TITLE: Determination of Chautauqua County Legislature on Proposed Agricultural District Modifications

BY: Planning & Economic Development Committee:

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

WHEREAS, the Chautauqua County Legislature is responsible for Chautauqua County Agricultural Districts No. 1, 2, 6, 7, 8, 10, 11, 12, and 13; and

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

WHEREAS, the Clerk of the Legislature received notifications from the New York State Department of Agriculture and Markets to perform an eight-year review of each of Chautauqua County's agricultural districts; and

WHEREAS, in accordance with Section 303-a of the New York State Agriculture and Markets Law, a comprehensive eight-year review of Chautauqua County's agricultural districts was conducted in 2021; and

WHEREAS, pursuant to Resolution No. 208-15, Chautauqua County accepted a plan to consolidate the agricultural districts into Districts No. 1, 7, 8, and 10; and

WHEREAS, the Chautauqua County Agriculture and Farmland Protection Board reviewed submitted proposals to modify and consolidate the agricultural district boundaries, and recommended to the Chautauqua County Legislature that the modification of the agricultural district boundaries serves the public interest; and

WHEREAS, the requirements of the New York State Environmental Quality Review Act (SEQRA) have been considered and processes have been completed by Chautauqua County, and the Chautauqua County Agriculture and Farmland Protection Board report has been filed with the County Legislature; and

WHEREAS, the required public hearing was held on June 23, 2021, in order to gather input from landowners in the districts; now therefore be it

RESOLVED, That it is the determination of the Chautauqua County Legislature to modify and consolidate the Chautauqua County Agricultural Districts into Districts No. 1, 7, 8, and 10, in accordance with the recommendations of the Chautauqua County Agriculture 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 Agriculture and Farmland Protection Board report, and tax maps with the tax map identification 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