

Minutes
Human Services Committee
August 19, 2026, 5:00 p.m., Legislative Chambers
Livestreamed on YouTube
Gerace Office Building, Mayville, NY

Members Present: Proctor, Gustafson, Lewis, Harmon, Pavlock

Others: Lee, Chagnon, Swan, Nelson, Wilson, Kilburn, Zafuto, Moulton, McClennan

Complete video of meeting can be viewed on YouTube

Chairman Proctor called the meeting to order at 5:20 p.m.

Approval of Minutes (07/15/26)

MOVED by Legislator Lewis, SECONDED by Legislator Gustafson to approve the minutes.

Privilege of the Floor

Chairman Proctor: Next up is privilege of the floor. Do we have anyone here to speak to the privilege of the floor?

Legislator Nelson: Good afternoon. Tom Nelson, Legislative District 13 representative. And some of you have heard this now a couple of times. I'm here to answer any questions and support the three-foot law that I've proposed. If you've taken a look at it, I know it's not on your agenda, but I just wanted to be here in case anybody had a question. I'm in a riding group, cycling group and we, you know, we're out on the roads every Tuesday night and there's anywhere from 25 to 15 people riding together and it's something that in our group, is well represented by the Sheriff's Department. We've had Tim Hollern and Tim Kimberg are really the two main leaders of it, but Officer Bill Nelson, my brother, is in this group and so is John Heedin. And one thing they brought to my attention was that some counties, I think there are five counties now in New York State, have passed this law. And there are 33 states and the District of Columbia has passed a three-foot law. And what it does, is it defines the distance that you have to pass, a motor vehicle has to pass a bicyclist or pedestrian. This law is modeled after the law in, I believe, in Courtland County. When I looked at different laws, Monroe County was the first one I looked at and which was named "Carrie's Law." It was named after a young woman who was hit, was struck by a car in the Brockport area and her husband worked hard to pass that law. And, unfortunately, we've had our own fatality in Chautauqua County. So, what it does is it just gives a, you know, a definite amount of space that a car has to pass a bicyclist or maybe a horse and buggy or somebody walking or emergency vehicle. A non-motorist I guess is the way the law reads. So, I think it'll be something that is, I hope, makes a difference that will be, you know, really more of an education thing. It hopes to, you know, give drivers kind of an exact distance that they should think about when they're passing someone on a bike. As I've said, I'm in a group that out there and, you know, some people give us plenty of space. Sometimes they're right next to you. So, I'm here to show support for that and hope that we have support for that for the county. If you have any questions, I know I'm not on the agenda, so I don't want to take up all your time, but yes.

Legislator Lewis: Two questions here. The first one is, since you've been working with, like you said, the sheriff department and everything like that, how enforceable is this going to be?

Legislator Nelson: Yeah, that's a good question. I mean, you know, you'd have to pass with due care and with a safe distance. So, it just further defines that. And I think in an accident investigation, it could be really important. Right now, usually, unless there's an injury or an accident, there's no- you're not breaking the law necessarily, I guess. Someone could file a complaint, I suppose, if you could say, you know, somebody passed me and they were way too close. So yeah, the enforcement part, yea, I got to admit, it would be tough for the police to enforce. I think to me, it's more of an education thing. I'm hoping that you know, when students in drivers' education classes are talking about these kinds of things that they, you know, they're instructed that three feet really is the minimum. Some states have and counties have wider distances, but when we ride, if you know that white line on the right side is called the fog line, and we try to ride either just inside of that or on it. And if you make it more than three feet, if you're riding there and you make it more than three feet, you're going to push cars too far into the other lane.

Legislator Lewis: So, there isn't enough distance between the yellow line and that white line. Okay. Second question is motorized bikes. Yes.

Chairman Proctor: We got into a long discussion, that's partly why we're late.

Legislator Lewis: Oh, okay, yes.

Legislator Nelson: And you know, it's something that I think should be addressed. Absolutely.

Chairman Proctor: That's not germane to this here.

Legislator Lewis: But, we don't, I mean, they come up so quick, you know, cause I'm a biker myself. And I'm just used to the speed of a biker, even a fast biker.

Legislator Nelson: Yeah

Legislator Lewis: But these come out of nowhere sometimes.

Legislator Nelson: I know

Legislator Lewis: So, they're not part of this law, or scooters?

Legislator Nelson: Yeah, and I think New York State's going to have to address those because some of those motorized vehicles are just like, they assist you. We have some people in our group who are 80 plus, you know, and they use the pedal assist and you hardly even know it's an e-bike. They just help them going up the hill. They're still going, our speed is maybe eight, nine, ten miles per hour. We're really not going that fast. But then there are the fully motorized bikes that I see going blind through intersections, not paying attention to the vehicle and traffic laws and that's really frustrating and I think that's got to be addressed by, well, the county or the state. In fact, at the end of the last meeting, we were talking about having maybe, getting our sheriff together with some of the police chiefs throughout the county and saying, you know, what can we do about this because that's a real problem. You're absolutely right.

Chairman Proctor: Is there any other questions?

Legislator Harmon: I had a question, but Ms. Lewis stole it. *(laughter)*

Legislator Nelson: Okay, all right. Thank you for your time.

Chairman Proctor: Okay, is there is any other privilege of the floor? Seeing none, we will move onto our first resolution.

Proposed Resolution – Amend Chautauqua County Department of Mental Hygiene 2026 Adopted Budget for Court Ordered Forensic Evaluations for Competency and Court Ordered Forensic Hospitalizations—*Presented by Trish McClennan, Deputy Director of Mental Hygiene and Renee Moulton, Deputy Director of Finance*

Unanimously Carried

Discussions –

Hit the Trails & Parks - Kids: A Collaborative Initiative that Connects Community Resources to Inspire Outdoor Physical Activity—*Presented by Lacey Wilson, Public Health Director and Steve Kilburn, Public Health Planner*

MOVED by Legislator Gustafson, SECONDED by Legislator Lewis to adjourn.

Unanimously Carried (6:10 p.m.)

Respectfully submitted and transcribed,
Olivia L. Lee, Clerk of the Legislature/Amanda Guillory, Senior Stenographer