Agenda

Planning & Economic Development Committee

Tuesday, November 10, 2026, 6:00 p.m., Legislative Chambers

Livestreamed on YouTube

Gerace Office Building, Mayville, NY

A. Call to Order

B. Approval of Minutes (10/07/26 – Budget Review) & (10/21/26)

C. Privilege of the Floor

1. Res. No. 261-26 – A Resolution Adopting a Uniform Tax Exemption Policy Pursuant to General Municipal Law § 874(4) Providing that the Chautauqua County Industrial Development Agency Shall Not Consent to Real Property Tax Exemptions, Mortgage Recording Tax Exemptions, or Sales and Use Tax Exemptions for Data Center Projects *(Referred to Planning & Economic Development and Audit & Control Committees during the October 28, 2026 Legislature meeting.)*

2. Proposed Resolution – Authorize Adoption of the Chautauqua County Local Solid Waste Management Plan

3. Proposed Resolution – Amend 2026 Budget for Snowmobile Trail Development and Maintenance Grant

4. Proposed Resolution – Request Inclusion of Additional Funds for Construction of Phase I of Proposed New JCC Wellness Complex in SUNY's Capital Request for the 2027-2028 Executive Budget

5. Other –

CHAUTAUQUA COUNTY
RESOLUTION NO. 261-26

TITLE: A Resolution Adopting a Uniform Tax Exemption Policy Pursuant to General Municipal Law § 874(4) Providing that the Chautauqua County Industrial Development Agency Shall Not Consent to Real Property Tax Exemptions, Mortgage Recording Tax Exemptions, or Sales and Use Tax Exemptions for Data Center Projects

AT THE REQUEST OF: Legislators Fred Larson, Marcus Buchanan, Robert Bankoski, Thomas Nelson, Sandra Lewis, Robert Whitney:

WHEREAS, the Chautauqua County Industrial Development Agency (hereinafter "Agency") is a public benefit corporation organized and existing pursuant to Article 18-A of the New York General Municipal Law (hereinafter "GML"); and

WHEREAS, GML § 874(4) provides that a county legislature may, by resolution, adopt a Uniform Tax Exemption Policy ("UTEP") that prescribes the terms and conditions under which the Agency may provide financial assistance, including real property tax exemptions, mortgage recording tax exemptions, and sales and use tax exemptions, in connection with projects undertaken by the Agency; and

WHEREAS, the Chautauqua County Legislature (hereinafter "Legislature") is the authorizing body with jurisdiction to establish policy parameters governing the exercise of the Agency's power to grant tax exemption benefits within Chautauqua County; and

WHEREAS, the Legislature has reviewed and considered the nature and characteristics of data center projects, including but not limited to facilities whose primary purpose is the housing, storage, management, or processing of electronic data, including colocation data centers, cloud computing facilities, hyperscale data centers, cryptocurrency mining operations, and similar technology infrastructure facilities; and

WHEREAS, the Legislature finds that data center projects, while capital-intensive, typically generate minimal permanent employment relative to the magnitude of public tax benefits requested and relative to the level of capital investment made; and

WHEREAS, the Legislature further finds that data center projects often consume significant public infrastructure resources, including substantial electrical power, water resources, and utility capacity, which may impose burdens upon local infrastructure systems without commensurate benefit to the local economy, local workforce, or local tax base; and

WHEREAS, the Legislature finds that the granting of tax exemptions to data center projects diminishes revenues otherwise available to Chautauqua County, its municipalities, and its school districts, which depend upon such tax revenues to fund essential public services, including public education, emergency services, public health, and infrastructure maintenance; and

WHEREAS, the Legislature finds that data center projects do not sufficiently advance the economic development purposes set forth in Article 18-A of the GML so as to justify the granting of tax exemption benefits by the Agency; and

WHEREAS, the Legislature has determined that it is in the best interest of the residents, taxing jurisdictions, and communities of Chautauqua County to expressly preclude the Agency from consenting to or approving tax exemption benefits for data center projects; and

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WHEREAS, the Legislature has provided public notice and opportunity for comment consistent with applicable law prior to the adoption of this Uniform Tax Exemption Policy; and

WHEREAS, the Legislature desires to adopt a Uniform Tax Exemption Policy that includes a prohibition on tax exemption benefits for data center projects, effective immediately upon adoption; now, therefore, be it

RESOLVED by the Chautauqua County Legislature as follows:

ARTICLE I — TITLE AND AUTHORITY
Section 1.01 — Title. This Resolution shall be known and may be cited as the **"Chautauqua County Uniform Tax Exemption Policy"** (hereinafter "UTEP" or "Policy").

Section 1.02 — Authority. This Policy is adopted pursuant to the authority granted to the Chautauqua County Legislature under New York General Municipal Law § 874(4), which authorizes the governing body of a county to adopt by resolution a uniform tax exemption policy applicable to the Chautauqua County Industrial Development Agency.

Section 1.03 — Purpose. The purpose of this Policy is to establish uniform standards governing the extent to which the Agency shall provide tax exemption benefits in connection with projects, and specifically to prohibit the Agency from consenting to or granting any tax exemption benefits in connection with data center projects as defined herein.

ARTICLE II — DEFINITIONS
Section 2.01 — Definitions. As used in this Policy, the following terms shall have the meanings set forth below:

(a) "Agency" means the Chautauqua County Industrial Development Agency, a public benefit corporation organized pursuant to Article 18-A of the New York General Municipal Law.

(b) "Applicant" means any person, entity, partnership, corporation, limited liability company, association, or other legal entity that applies to the Agency for financial assistance in connection with a project.

(c) "Data Center Project" means any project in which the primary or predominant use of the facility, or any material portion thereof, involves one or more of the following:

(i) the housing, storage, processing, or management of electronic data, digital information, or computing workloads on behalf of the project operator or third parties;

(ii) the operation of servers, networking equipment, storage systems, or associated infrastructure in support of cloud computing services, internet services, colocation services, or managed services;

(iii) the operation of facilities commonly described as data centers, colocation centers, cloud data centers, hyperscale data centers, edge data centers, or enterprise data centers;

(iv) the operation of facilities engaged in cryptocurrency mining, blockchain processing, or similar computationally intensive digital asset operations;

(v) any facility in which the density of computing, server, or electronic processing equipment exceeds that typically associated with incidental or accessory office or business use; or

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(vi) any facility that is primarily designed, constructed, or operated to support any of the activities described in subsections (i) through (v) above.

(d) "Financial Assistance" means any form of assistance provided by the Agency including, without limitation, real property tax exemptions, payments in lieu of taxes (PILOTs), mortgage recording tax exemptions, and sales and use tax exemptions, as authorized under Article 18-A of the GML.

(e) "Mortgage Recording Tax Exemption" means the exemption from the mortgage recording tax authorized under GML § 874(1).

(f) "Real Property Tax Exemption" means the exemption from real property taxes authorized under GML § 874(1), including any benefit provided through a payment in lieu of taxes (PILOT) agreement that reduces the tax burden below that which would otherwise be owed.

(g) "Sales and Use Tax Exemption" means the exemption from state and local sales and use taxes authorized under GML § 874(1).

(h) "Tax Exemption Benefits" means, collectively, any or all of the real property tax exemption, mortgage recording tax exemption, and sales and use tax exemption benefits available through the Agency.

(i) "Taxing Jurisdiction" means any county, city, town, village, school district, or special district having the power to levy real property taxes or other taxes within Chautauqua County.

ARTICLE III — PROHIBITION ON TAX EXEMPTION BENEFITS FOR DATA CENTER PROJECTS

Section 3.01 — General Prohibition. Notwithstanding any other provision of law or any prior resolution, agreement, or practice of the Agency, the Agency shall not consent to, approve, authorize, or grant any Tax Exemption Benefits, including but not limited to real property tax exemptions, mortgage recording tax exemptions, or sales and use tax exemptions, in connection with any Data Center Project.

Section 3.02 — Prohibition Applies to All Forms of Tax Benefit. The prohibition set forth in Section 3.01 shall apply to:

(a) any new application for financial assistance submitted to the Agency on or after the effective date of this Policy in connection with a Data Center Project;
(b) any expansion, modification, amendment, or renewal of existing financial assistance arrangements that would extend, increase, or continue Tax Exemption Benefits to a project that constitutes or has become a Data Center Project; and

(c) any application that, at the time of submission or at any point during Agency review, involves or contemplates use as a Data Center Project, regardless of the characterization of the project by the Applicant.

Section 3.03 — Agency Board Compliance. The Board of Directors of the Agency shall not take any action, adopt any resolution, or enter into any agreement that is inconsistent with the prohibition set forth in this Article III. Any resolution, agreement, or action of the Agency Board that purports to grant Tax Exemption Benefits to a Data Center Project shall be null and void and of no legal effect.

Section 3.04 — Consent of Taxing Jurisdictions. Consistent with GML § 874(4), this Policy is adopted as the official position of the Chautauqua County Legislature, as the authorizing body of

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the Agency, and shall constitute the withholding of consent by the County to the granting of any Tax Exemption Benefits to Data Center Projects. The Agency is directed to communicate this Policy to all affected Taxing Jurisdictions.

ARTICLE IV — DETERMINATION OF DATA CENTER STATUS

Section 4.01 — Agency Determination. In the event of any uncertainty as to whether a proposed project constitutes a Data Center Project within the meaning of this Policy, the Agency shall make a determination based upon all relevant facts and circumstances, including but not limited to:

(a) the nature and description of the proposed use of the facility as set forth in the application and supporting materials;

(b) the power consumption, cooling requirements, and infrastructure specifications of the proposed facility;

(c) the ratio of permanent full-time employees to capital investment proposed for the project;

(d) the nature of the primary revenue-generating activities to be conducted at the facility; and

(e) any other factor reasonably indicating that the primary or predominant use of the facility is consistent with the definition of a Data Center Project under this Policy.

Section 4.02 — Burden on Applicant. The Applicant shall bear the burden of demonstrating to the Agency's satisfaction that a proposed project does not constitute a Data Center Project within the meaning of this Policy. A mere assertion by the Applicant that the project is not a data center shall not be determinative.

Section 4.03 — Conservative Interpretation. In furtherance of the Legislature's intent to exclude Data Center Projects from Tax Exemption Benefits, the Agency shall interpret the definition of "Data Center Project" broadly and shall resolve any ambiguity in favor of classification as a Data Center Project.

ARTICLE V — GENERAL PROVISIONS

Section 5.01 — Relation to Existing UTEP. To the extent any prior Uniform Tax Exemption Policy of the Agency or any prior resolution of the Legislature is inconsistent with the provisions of this Policy, this Policy shall control and shall supersede such prior policy or resolution with respect to the subject matter hereof.

Section 5.02 — Remaining Provisions. Except as specifically modified or supplemented by this Resolution, all other provisions of the Agency's existing Uniform Tax Exemption Policy, if any, shall remain in full force and effect.

Section 5.03 — Filing and Notice. The Clerk of the Legislature and the Agency's Executive Director are hereby directed to:

(a) file a certified copy of this Resolution with the offices of the Chautauqua County Clerk;

(b) provide written notice of the adoption of this Policy to the Board of Directors of the Chautauqua County Industrial Development Agency;

(c) provide written notice to each Taxing Jurisdiction within Chautauqua County; and

(d) make this Policy available to the public on the Agency's official website.

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Section 5.04 — Severability. If any provision of this Resolution or the application thereof to any person or circumstance is held invalid or unenforceable by a court of competent jurisdiction, the remainder of this Resolution and the application of its provisions to other persons or circumstances shall not be affected thereby and shall continue in full force and effect.

Section 5.05 — Effective Date. This Resolution shall take effect immediately.

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CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Authorize Adoption of the Chautauqua County Local Solid Waste Management Plan

BY: Public Facilities and Planning and Economic Development Committees:

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

WHEREAS, the County of Chautauqua is the planning unit responsible for developing a Local Solid Waste Management Plan (LSWMP) pursuant to Section 27-0107, paragraph 1(a), of Title 1 of Article 27 of the Environmental Conservation Law of the State of New York; and

WHEREAS, on October 9, 2026 the New York State Department of Environmental Conservation issued a letter stating that the current draft of the LSWMP constitutes an approvable plan; and

WHEREAS, Section 366-4.1(d)(2) of the New York State Department of Environmental Conservation's solid waste management regulations contains several provisions that must be included in a planning unit's resolution to adopt a final LSWMP, and such clauses are included herein as required; now, therefore, be it

RESOLVED, that the Chautauqua County final LSWMP is hereby adopted by the County Legislature, acting as the solid waste planning unit for Chautauqua County; and be it further

RESOLVED, that, as required by Sections 366-4.1(d)(2)(i), 366-4.1(d)(2)(ii), and 366-4.1(d)(2)(iii), of the New York State Department of Environmental Conservation's solid waste management regulations, the County of Chautauqua will (i) adopt the LSWMP, effective upon Department approval of the LSWMP, (ii) implement and maintain the solid waste management system described in the final LSWMP, and (iii) submit biennial updates as required by Subpart 366-5 of 6 NYCRR Chapter IV, Subchapter B, Part 360; and be it further

RESOLVED, that the Clerk of the County Legislature is hereby directed to ensure that an electronic copy of the final LSWMP is made available for public review on the County's website; and be it further

RESOLVED, that the Clerk of the County Legislature is hereby directed to furnish all items to the New York State Department of Environmental Conservation as indicated in the October 9, 2026, letter referenced above.

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CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Amend 2026 Budget for Snowmobile Trail Development and Maintenance Grant

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

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

WHEREAS, 2026 revenue from the New York State Office of Parks, Recreation, and Historic Preservation Snowmobile Trail Grant-in-Aid Program was estimated based on previous funding awards and did not align with the State's fiscal year; and

WHEREAS, 2026-2027 Snowmobile Trails Grant-in-Aid Program 70% payment has been received by the County and exceeds budgetary estimates; and

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

RESOLVED, that the Director of Finance is hereby authorized and directed to make the following changes to the 2026 adopted Budget:

INCREASE REVENUE ACCOUNT:		
A.8020.----R388.9002	Other State Aid: Snow Trail	$279,495
INCREASE APPROPRIATION ACCOUNT:		
A.8020.----.4	Contractual – Planning	$279,495

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CHAUTAUQUA COUNTY
RESOLUTION NO. _____

TITLE: Request Inclusion of Additional Funds for Construction of Phase I of Proposed New JCC Wellness Complex in SUNY's Capital Request for the 2027-2028 Executive Budget

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

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

WHEREAS, pursuant to Resolution 326-24, the Chautauqua County Legislature requested the inclusion of a proposed athletic and wellness complex on the campus of Jamestown Community College (JCC) in SUNY's capital request for the 2025-2026 Executive Budget; and

WHEREAS, the complex is proposed as a facility shared with the Jamestown Area YMCA (YMCA), and each entity is responsible for a portion of the design and construction costs; and

WHEREAS, the YMCA has not yet completed its efforts to raise funds for its share of the joint project's costs, and JCC and the YMCA are proceeding with a phased approach for the project in order to allow portions of the project to proceed so as not to delay construction of needed facilities for JCC; and

WHEREAS, in September 2025, the Chautauqua County Planning Board reviewed and recommended plans for the project to proceed in two phases, with Phase I including design of the full joint project and renovation of the existing JCC physical education facility, and Phase II including construction of a new addition to the existing facility; and

WHEREAS, pursuant to Resolution 283-25, the Chautauqua County Legislature requested the inclusion of the construction of Phase I of the proposed JCC Wellness Complex in SUNY's capital request for the 2026-2027 Executive Budget, with construction of Phase 1 having a total estimated cost of $12,069,538.36; and

WHEREAS, the State of New York included the design of the full joint project in its 2025-2026 capital budget for community colleges, and included the original request for the construction of Phase I in its 2026-2027 capital budget for community colleges; and

WHEREAS, the total estimated cost for the construction of Phase I has increased by $7,550,462 for a new total estimated Phase I construction cost of $19,620,000.36, but JCC’s portion of the estimated cost for the overall project remains at the original estimate of $24 million; now, therefore, be it

RESOLVED, that the Chautauqua County Legislature hereby requests the inclusion of $7,550,462 in additional funds for the construction of Phase I of the proposed JCC Wellness Complex in SUNY's capital request for the upcoming 2027-2028 Executive Budget; and be it further

RESOLVED, to supplement the State's anticipated 50% contribution to JCC's share of the construction cost of Phase 1, the County of Chautauqua intends to fund 25% of JCC' s share of the construction cost of Phase 1, with the remaining 25% of JCC's share of the construction cost of Phase I funded by JCC through private foundation and donor support.

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