

Agenda

Planning & Economic Development Committee

July 18, 2018, 6:00 pm, Room 331

Gerace Office Building, Mayville, NY

- A. Call to Order
- B. Approval of Minutes (6/20/18)
- C. Privilege of the Floor
 - 1. Proposed Motion- In Support of the Grant Application of the Western New York Land Conservancy for the College Lodge Forest Park Project
 - 2. Proposed Resolution- Reallocate a Portion of 2018 3% Occupancy Tax Funds and Authorize Use of 3% Occupancy Tax Reserve for Dunkirk Offshore Powerboat Racing Event
 - 3. Proposed Resolution- Authorize Grant Application to New York State Department of State (NYSDOS) Division of Planning Waterfront Revitalization Program to Fund Lake Erie Waterfront Development and Investment Prospectus
 - 4. Proposed Resolution- Environmental Assessment of Projects for 2019 2% Occupancy Tax Projects

(SEQR Document on file in Legislature Office)
 - 5. Proposed Resolution- Implementing Resolution 194-17 - Commitment of Matching Funds for New York State Department of Environmental Conservation/New York State Environmental Facilities Corporation Wastewater Infrastructure Engineering Planning Grant Program for the Mayville – Chautauqua Stormwater Management Engineering Study
 - 6. Proposed Resolution- Commitment of Matching Funds for Grant Applications to the 2018 New York State Consolidated Funding Application Program
 - 7. Other-

CHAUTAUQUA COUNTY
MOTION NO. _____



TITLE: In Support of the Grant Application of the Western New York Land Conservancy for the College Lodge Forest Park Project

AT THE REQUEST OF: Legislator Mark Odell:

WHEREAS, the Western New York Land Conservancy is applying to the New York State Office of Parks, Recreation and Historic Preservation (OPRHP) for a grant under the Environmental Protection Fund for a park project to be located at the College Lodge with a mailing address of 8067 Rte. 380, Brocton, NY 14716, a site located within the territorial jurisdiction of this Legislature; and

WHEREAS, as a requirement under the rules of this program, said not-for-profit corporation must obtain the “approval/endorsement of the governing body of the municipality in which the project will be located”; and

WHEREAS, the Chautauqua County Legislature has a history of supporting the development and preservation of parks for recreational use for our citizens and for tourism; now, therefore be it

KNOWN, That the Chautauqua County Legislature, does hereby endorse the application of the Western New York Land Conservancy for a grant under the Environmental Protection Fund for a park project known as the College Lodge Forest located within Chautauqua County; and let it be

MOVED, That the Clerk of the Legislature is hereby directed to forward copies of this motion to the Western New York Land Conservancy and all others deemed necessary and proper.

SMA 7/11/18
KMD 7/11/18
KLC 7/11/18
GMB 7/11/18

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

TITLE: Reallocate a Portion of 2018 3% Occupancy Tax Funds and Authorize Use of 3% Occupancy Tax Reserve for Dunkirk Offshore Powerboat Racing Event

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

AT THE REQUEST OF: County Executive George M. Borrello, County Legislator Robert Bankoski, and County Legislator Kevin Muldowney:

WHEREAS, Chautauqua County has established a 3% occupancy tax program for the purposes of promoting, developing, and protecting the area's tourism industry; and

WHEREAS, the City of Dunkirk was allocated \$12,000 of 3% occupancy tax funding in the 2018 budget for the Dunkirk Air Show, but instead of the air show the City is hosting an offshore powerboat racing event for the first time; and

WHEREAS, the City of Dunkirk has received funding commitments for the offshore powerboat racing event that include the Chautauqua County Industrial Development Agency (CCIDA) and presenting sponsors DFT Communications, ATHENEX, and Lake Shore Savings Bank; and

WHEREAS, economic benefits to the County from the offshore powerboat racing event include approximately 600 hotel room nights for race participants, additional hotel rooms and meals for spectators, and enhanced visitation at other area attractions; and

WHEREAS, the City of Dunkirk estimates that the event costs \$150,000 to bring to the area, including expenses such as promotional marketing, a crane for launching boats, sound engineers, helicopters, and insurance; and

WHEREAS, as of June of 2018, the balance of the 3% Occupancy Tax Reserve Account was \$126,258; therefore be it

RESOLVED, That the \$12,000 of 3% Occupancy Tax monies in the 2018 budget allocated to the Dunkirk Airshow are hereby reallocated to the Dunkirk Offshore Powerboat Racing Event; and be it further

RESOLVED, That an additional \$20,500 of the 3% Occupancy Tax Reserve is hereby allocated to offset further expenses associated with the Dunkirk Offshore Powerboat Racing Event as a tourist attraction; and be it further

RESOLVED, That the County Executive is authorized and empowered to enter into all necessary agreements with the City of Dunkirk to implement this resolution; and be it further

RESOLVED, That A Fund Balance is appropriated as follows:

INCREASE THE USE OF APPROPRIATED FUND BALANCE:

A.----.----.883 Fund Balance, Reserved Fund Bal – Reserve for Occupancy Tax \$20,500

and be it further

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

RESOLVED, That the Director of Finance is authorized and directed to make the following change to the 2018 budget:

INCREASE APPROPRIATION ACCOUNT:

A.6420.TOUR.4 Contractual – Promotion of Industry, Tourism \$20,500

APPROVED
VETOES (VETO MESSAGE ATTACHED)

County Executive **Date**

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

DWM 6-20-18
ABC 6-21-18
SMA 6-22-18
KMD 6/22/18
KLC 6/25/18
GMB 6/25/18

TITLE: Authorize Grant Application to New York State Department of State (NYSDOS) Division of Planning Waterfront Revitalization Program to Fund Lake Erie Waterfront Development and Investment Prospectus

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the five Great Lakes, their connecting channels, and the St. Lawrence River form one of the longest deep draft navigation systems in the world, which includes Chautauqua County's three Federal Harbors of Refuge on Lake Erie; and

WHEREAS, Barcelona Harbor, Dunkirk Harbor and Cattaraugus Creek Harbor are invaluable cultural and economic assets to Chautauqua County and to the waterfronts of the Town of Westfield, City of Dunkirk and the Town of Hanover; and

WHEREAS, the United States Army Corps of Engineers (USACE) has the primary responsibility for the operation and maintenance of these harbors and has deferred authorized maintenance activities, including dredging and breakwater repairs due to limited Federal funding for harbors with limited commercial navigation; and

WHEREAS, an economic impact analysis of the three harbors and Lake Erie waterfronts would support Chautauqua County's continuing effort to advocate for Federal funding for the authorized operation and maintenance of the harbors, support future applications for State and local funding opportunities for economic development, and encourage new private investment in our harbors and waterfronts; and

WHEREAS, this analysis of current and future economic impacts would also support and encourage future private investment and further economic development near the harbors and along the Lake Erie waterfront; and

WHEREAS, the Chautauqua County Division of Planning and Community Development desires to partner with the Town of Westfield, City of Dunkirk, Town of Hanover, and the Northern Chautauqua County Community Foundation's Local Economic Development Committee (LED) to apply for \$35,000 in grant funding from the New York State Department of State (NYSDOS) Division of Planning Local Waterfront Revitalization Program to retain a consultant to determine the true economic impact of the three harbors and entire waterfront by advancing a Development and Investment Prospectus; and

WHEREAS, the Chautauqua County Division of Planning and Community Development will coordinate the collaborative grant application effort and, if successful, commit up to \$3,500 of in-kind services for administration of the grant and project management activities as a portion of the required matching funds; and

WHEREAS, the Town of Westfield, City of Dunkirk, Town of Hanover, and the LED Group will also each commit up to \$2,500 of in-kind services for data collection and public outreach activities as matching funds in support of the effort; and

WHEREAS, the Lake Erie Management Commission is a strong advocate for Chautauqua County's harbors and waterfronts and has obligated \$5,000 from its annual Agency Allocation from the 2% Occupancy Tax Program for Lakes & Waterways as a match in support of the effort; and

WHEREAS, the 2% Occupancy Tax Reserve fund has a balance of approximately \$232,382.45; and

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

WHEREAS, the Lake Erie Waterfront Development and Investment Prospectus grant application will require an additional \$5,000 of match funds to complete the project; now therefore be it

RESOLVED, That the Chautauqua County Legislature hereby supports the proposed collaborative effort to prepare and submit a grant application to the NYSDOS Division of Planning Local Waterfront Revitalization Program in connection with the New York State Consolidated Funding Application process; and be it further

RESOLVED, That if the grant is awarded, then the County will commit up to \$5,000 from the 2% Occupancy Tax Reserve to support this project.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

DWM 6/26/18
ABC 6/28/18
SMA 6/29/18
KMD 6/29/18
KLC 7/9/18
GMB 7/9/18

TITLE: Environmental Assessment of Projects for 2019 2% Occupancy Tax Projects

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, the Chautauqua County Legislature requested by Resolution No. 162-18 that the Chautauqua County Department of Planning and Development (“CCDPD”) conduct a New York State Environmental Quality Review (“SEQRA”) for the projects approved by the Waterways Panel for funding in 2019 as set forth below, and provide a report and recommendations to the County Legislature; and

WHEREAS, CCDPD and the various involved agencies have reviewed the projects consistent with SEQRA and applicable state regulations; and

WHEREAS, the CCDPD recommends that the project ranked as number 6 on the Waterways Panel list provided below be classified as a Type II Action under 6 N.Y.C.R.R. Part 617.2 of the Environmental Conservation Law and does not require any additional environmental review; and

WHEREAS, the CCDPD recommends that the projects that are ranked as numbers 1 through 5 and 7 through 8 on the Waterways Panel list provided below be classified as Unlisted Actions under 6 N.Y.C.R.R. Part 617.2 of the Environmental Conservation Law; and

WHEREAS, the County has caused the attached Short Environmental Assessment Forms (SEAF) to be prepared for all projects recommended to be classified as Unlisted Actions; and

WHEREAS, the County has reviewed and analyzed the SEAF for each project, and considered any relevant areas of environmental concern and probable environmental impacts of the Actions to determine if the Actions may have any significant adverse environmental effects; now therefore be it

RESOLVED, That the County hereby finds and determines that Actions listed and identified below will not have a significant adverse environmental impact in accordance with New York State Environmental Quality Review Act, Article 8 of the New York Environmental Conservation Law, and pursuant to the implementing regulations found at 6 N.Y.C.R.R. Part 617, and accordingly, is issuing a negative declaration.

Project/Agency or Organization	Rank	Amount Requested	Amount Recommended
Lake Erie Tributary Knight Vineyards	1	\$ 27,565	\$ 27,565
Shorelands	2	\$ 20,000	\$ 20,000
Goose Creek Geiger	3	\$ 28,082	\$ 28,082
Maple Springs Rehab	4	\$ 24,750	\$ 24,750
Tupper Creek	5	\$ 40,000	\$ 40,000

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Boat Stewardship	6	\$ 39,972	\$ 39,972
Scott Creek Sheridan	7	\$ 17,115	\$ 17,115
Canadaway Creek Hurtgen	8	\$ 26,640	\$ 26,640
TOTALS			\$ 224,124

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

DMW 7.5.18
ABC 7.6.18
SMA 7/6/18
KMD 7/9/18
KLC 7/9/18
GMB 7/9/18

TITLE: Implementing Resolution 194-17 - Commitment of Matching Funds for New York State Department of Environmental Conservation/New York State Environmental Facilities Corporation Wastewater Infrastructure Engineering Planning Grant Program for the Mayville – Chautauqua Stormwater Management Engineering Study

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, pursuant to Resolution 194-17, the County committed match of \$12,650 in local funding towards the EPG grant program for the Mayville - Chautauqua Stormwater Management Engineering Study from the reallocated Alliance capital projects program funds established under Resolution 131-15; and

WHEREAS, the project was successfully awarded state grant funding and it is necessary to amend the 2018 budget to implement the County’s matching commitment; therefore be it

RESOLVED, That the Director of Finance is authorized to make the following amendments to the 2018 Budget:

DECREASE CAPITAL APPROPRIATION ACCOUNT:

H.8020.674.4	Contractual – Chaut Lake Managemnt Comm (2008)	\$12,650
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ESTABLISH AND INCREASE APPROPRIATION ACCOUNT:

H.8020.37001.4	Contractual—Mayville Stormwater Study	\$12,650
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DECREASE CAPITAL REVENUE ACCOUNT:

H.8020.674.R503.1000	Interfund Transfer—Interfund Transfer	\$12,650
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ESTABLISH AND INCREASE REVENUE ACCOUNT:

H.8020.37001.R503.1000	Interfund Transfer—Interfund Transfer	\$12,650
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

**CHAUTAUQUA COUNTY
RESOLUTION NO. _____**

DWM 7.5.18 ABC 7.6.18 SMA 7/9/18 KMD 7/9/18 KLC 7/9/18 GMB 7/9/18
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TITLE: Commitment of Matching Funds for Grant Applications to the 2018 New York State Consolidated Funding Application Program

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

AT THE REQUEST OF: County Executive George M. Borrello:

WHEREAS, Chautauqua Lake is an invaluable asset to Chautauqua County but has been designated as an impaired water body and its health and usability are threatened; and

WHEREAS, the New York State Consolidated Funding Application (CFA) offers state-wide grant funding programs that provide an opportunity to significantly leverage local resources; however, these grant programs are fiercely competitive and require a local match in cash and/or in-kind services; and

WHEREAS, the 2018 CFAs include the New York State Environmental Facilities Corporation (EFC) Green Innovation Grant Program (GIGP), the New York State Department of State (DOS) Local Waterfront Revitalization Program (LWRP), the New York State Department of Environmental Conservation (DEC) Water Quality Improvement Project Program (WQIP), and the New York State DEC/ EFC Wastewater Infrastructure Engineering Planning Grant (EPG) Program, all of which offer state grant funding for water quality related projects and all of which require a local match; and

WHEREAS, the Chautauqua County Department of Planning and Development (CCDPD), the Chautauqua Lake and Watershed Management Alliance (Alliance), the Village of Lakewood, and the Town of Busti have successfully partnered to procure previous state funding pursuant to Resolution No. 193-16, which produced an engineering study identifying stormwater projects located within the Village of Lakewood and Town of Busti that can now be pursued for implementation funding and will have a positive impact on the environmental health of Chautauqua Lake; and

WHEREAS, the Village of Lakewood, in partnership with the CCDPD and the Alliance, has identified the Chautauqua Avenue Green Street Retrofit for application to the 2018 GIGP grant program which provides reimbursement for up to 90% of total project costs, and the Lowe Park Stream Daylighting and Sediment Capture Stormwater Project for application to the 2018 LWRP grant program which provides reimbursement for up to 75% of total project costs; and

WHEREAS, the Town of Busti, in partnership with the Village of Lakewood, the CCDPD and the Alliance, has identified the Lakewood - Busti Precision Swale Retrofit project for application to the 2018 WQIP grant program which provides reimbursement for up to 75% of total project costs; and

Project Title	Total Project Costs	NYS CFA Funding Requested	Commitment of County Cash Matching Funds	Other Sources of Local Match
Chautauqua Avenue Green Street Retrofit	\$777,235	\$699,511	\$11,099	\$66,625*

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Lowe Park Stream Daylighting and Sediment Capture Stormwater Project	\$458,693	\$344,019	\$5,000	\$109,674*
Lakewood - Busti Precision Swale Retrofit	\$269,971	\$202,478	\$5,000	\$62,493*

*Additional sources of match funding will be combination of cash and in-kind commitments from the Alliance, Village of Lakewood, and Town of Busti.

WHEREAS, the CCDPD, the Alliance, the Village of Celoron and the Town of Ellicott have identified the Ellicott Stormwater Management Engineering Study for application to the 2018 EPG grant program which provides reimbursement of the cost of water quality improvement study with a maximum award of \$100,000.00, with applicants providing a local match contribution of at least 20% of the total grant award; and

Project Title	Total Project Costs	NYS CFA Funding Requested	Commitment of County Cash Matching Funds	Other Sources of Local Match
Ellicott Stormwater Management Engineering Study	\$120,840	\$100,000	\$5,000	\$15,840*

*Additional sources of match funding will be combination of cash and in-kind commitments from the Alliance, Village of Celoron, and Town of Ellicott.

WHEREAS, the CCDPD and the Alliance have identified a 9 Element Plan project for application to the 2018 LWRP grant program, a priority recommendation from the 2018 Harmful Algal Bloom (HAB) Action Plan for Chautauqua Lake; and

Project Title	Total Project Costs	NYS CFA Funding Requested	Commitment of County Cash Matching Funds	Other Sources of Local Match
9 Element Plan	\$270,600	\$202,950	\$29,250	\$38,400*

*Additional source of match funding will be cash commitment from the Alliance.

WHEREAS, the CCDPD, the Alliance, and the Chautauqua Lake Association have identified the Chautauqua Lake Mechanized Floating Vegetation Collection project for application to the 2018 WQIP grant program; and

Project Title	Total Project Costs	NYS CFA Funding Requested	Commitment of County In-Kind Matching Funds	Other Sources of Local Match
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APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date

Chautauqua Lake Mechanized Floating Vegetation Collection	\$500,000	\$375,000	\$105,000*	\$20,000**
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*In-Kind matching funds will leverage a portion of the County 2% Occupancy Tax Program annual Agency Allocation to the Chautauqua Lake Association for the years 2018, 2019 & 2020.

**Additional source of match funding will be cash commitment from the Alliance.

WHEREAS, by Resolution 131-15, the County reallocated project program dollars to the Alliance to specifically provide matching funding for grants to undertake Alliance member water quality projects to help Chautauqua Lake and its watershed and has \$55,351 still available; therefore, be it

RESOLVED, That the County shall commit a cash match of \$55,349 in local funding toward the first five 2018 CFA grant submissions listed above from the reallocated Alliance member water quality projects program funds established under Resolution 131-15; and be it further

RESOLVED, That the County shall commit an in-kind match toward the 2018 CFA grant submission titled Chautauqua Lake Mechanized Floating Vegetation Collection from the County 2% Occupancy Tax Program's annual agency allocation to the Chautauqua Lake Association for in-lake services.

APPROVED

VETOES (VETO MESSAGE ATTACHED)

County Executive

Date