

## Minutes

## Planning &amp; Economic Development Committee

**June 20, 2018, 6:00 pm, Room 331**

Gerace Office Building, Mayville, NY

Members Present: Odell, Chagnon, Starks, Himelein, O'Connell

Others: Tampio, Ames, Dennison, Wilfong, McCord, Graziano, Rowley, Nixon, McCoy, Harvey

Chairman Odell called the meeting to order at 6:00 p.m.

Approval of Minutes (5/16/18)

MOVED by Legislator Chagnon, SECONDED by Legislator Starks

*Unanimously Carried*Privilege of the Floor

Ms. Graziano: My name is Tammy Graziano. I live in Forestville, New York and many of you know me already. I have spoken several times. I am opposed to the industrial wind turbines. I'm here to share some new news from the Ball Hill Wind Project from Res. America. We received letters in the mail on Saturday of a public hearing. They want to increase the height of the wind turbines from 495 to 599. They want to change the wind law. So they are requesting that the Town of Villanova change the wind law to 599 feet. It will still be 1,000 setback from the nearest offset residence. Its 100 feet from wetlands. I checked again because I thought there was a "0" missing and it's not, its 100 feet. The rotor diameter is 446 feet now and the exposed base on these- there will be 27 at 599 and two at 586. This is what they are asking for. The exposed base will approximately be 78 feet in diameter. That's an additional over 400 truckloads of concrete for these and the blade-tip will be a height of 599 feet. Here is the copy of the public hearing and this is what was sent to us. 599 feet tall is 104 feet taller than the current contract. It's 104 feet taller than Arkwright, if you've been through there. Villanova's meeting on 6/13 a Res. Representative made the comment that "they are only developers and that when they construct this project they will put it up for sale," so why the cart before the horse. I don't understand why the Town Board makes this monumental decision for us. It seems that it never matters what the people think and its only what four members or less think or who they are beholdng to. One member has recused herself because of a contract. One new member has a mother-in-law and a father-in-law with a contract and another member possibly has a cousin with a contract. So, when there is a vote is it a non-bias vote or is it a vote strictly for their money and not for the wishes of this community or our health. I drive through Arkwright four times a day for my job. I've driven it since the beginning of the project and well before that. The majority of

workers are from out of town, out of state. The dump trucks- there are a handful that are local but many of the rest are from Rochester or elsewhere. They have concrete trucks that come from Michigan and all the pickup trucks are from Utah, Texas or Pennsylvania. So when they come here and say that they're pumping so many jobs into this community, its job for somewhere else but not for this area. Some of the jobs here are temporary such as food and fuel and stuff like that. I just wish that since they have changed this project- they are moving three of the turbines. They have to move them over 100 feet to comply with the setbacks if they get their wish and it goes higher. I wish they would lose their PILOT and have to start all over again. Larger turbines equal larger impacts on humans, habitats, wildlife and especially to our property values. This is not profitable for this area. They will destroy our property values and tourism will certainly cease. I see people on the side of the road in Arkwright taking pictures and it's probably the same thing that we did when we went to Bliss or Eagle and looked at them for said, "I'm glad I don't live here." It's heartbreaking. Over ten homes that I see on my route are up for sale and I was told that there are many more on side roads. At this point, from our home property we can see 15 of Arkwright so far and we will see a dozen more or so from the Ball Hill Wind project. There is no way to hide 600 feet. I appreciate you listening and I just wanted to give you a heads up. Our public hearing is Tuesday, so that would be before the next Legislature meeting. I just wanted to fill you in that they are back in town.

Chairman Odell: So the meeting is the 26<sup>th</sup>? That's a Tuesday?

Ms. Graziano: Yes, it's Tuesday. Thank you for listening, I appreciate it.

Legislator Chagnon: Thank you for the update.

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Proposed Motion- Proclaiming June 2018 as Dairy Month in Chautauqua County

Chairman Odell: Is there anyone here to speak to this? We didn't proclaim anything last year; I went back through the minutes. This motion is a good thing.

Clerk Tampio: The dairy princess is planning to attend the Legislature meeting.

Chairman Odell: Super, thank you.

Legislator Himelein: They do need to be recognized, Mr. Chairman. Dairy farmers in this County play a huge part-

Chairman Odell: They play an extremely vital role for sure. Any other questions or comments on this motion?

Legislator Starks: I think it's fabulous.

Chairman Odell: I think it's fabulous as well and I'm sure Ms. Reynolds would be here but she is probably still celebrating her big that she just had.

Legislator Chagnon: Woman of the Year.

Chairman Odell: That is quite the distinction and was very well deserved. We will pass this along to our full Legislature for signatures.

Proposed Motion- In Support of Proposed Cassadaga Lake Nature Park

Mr. Rowley: I just wanted to say that I appreciate the support. The committee appreciates what the Legislature is doing as far as the support of this motion. This will certainly help get the park into motion.

Chairman Odell: Thank you very much. (Crosstalk) In the motion from last year, there wasn't a defined date that we would not support this any longer. So, it was open ended. After talking to Nate, he did say that it would be helpful in the CFA process to have current motions and letters of support from all the various institutions out there, including the Legislature. Thank you Kathy and staff for updating this and we will bring that forward next week. Thank you, Dave. This is going to be a great project. Anything else on this topic?

Proposed Resolution- Confirm Appointment – Chautauqua County Industrial Development Agency

Chairman Odell: Our County Executive Borrello is hopefully throwing a strike right now or he would be speaking to this directly. It was his desire, as he stated during his campaign, to integrate labor and have a labor voice at the table with the IDA Board. After much deliberation Steven Thorpe of Jamestown was selected to be appointed.

Legislator Chagnon: I think this was very appropriate and perhaps a bit overdue. I think that the nomination of Mr. Thorpe is excellent and I fully support this.

Chairman Odell: Any other comments? Questions? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Chautauqua County Visitors Bureau as the Local Tourist Promotion Agency for Matching Funds Program Sponsored by New York State Division of Tourism

Mr. Nixon: Thank you. I know some of this information is in your packets but I brought possibly some of the same information and additional information as well. Just to go through the packet here, the resolution is asking for us to be allowed to apply for the State maximum application amount of up to \$250,000. The maximum we can apply for this year is \$240,000 and we would get much less than that because of the formula that is used by the State. That's what this first page is. It's a replication of the formula. If you put \$240,000 in the top right corner, and

go through the calculations it tells you your total grant amounts will be \$65,256 and that's approximately what we will get. It could vary by a couple hundred dollars by the time the State sends out award notices. We will be applying for this in the late summer/early fall for 2019 and as part of the application process we are required to have an authorization from the County. The next pages show how we would split those numbers. You take the County only portion of \$59,713 and you double it because we have to match it, which gives you \$119,000 program and we would spend the money in the three ways shown below- on the travel guide, mailing the travel guide, and ad placements that are in conjunction with "I Love NY." Number 2 on that page shows the money we would combine with Cattaraugus and Allegheny County. We would each put \$11,000 into a regional pot of money for a \$33,000 regional program. Immediately below that, it shows how we would spend that on travel shows, an 800 number and a website, media advertising which is really just the campground owners of NY directory for the State, and then collaboration with WNY REDC program. That will be (*Inaudible*) in conjunction with Niagara and Erie Counties for distribution at the new Welcome Center that they are building on Grand Island. The final page just shows more of a breakdown of the Chautauqua- Allegheny region free county program. I just tried to give you details here and all that is in support of how we would utilize the funds in 2019.

Chairman Odell: Thank you, Andrew. Any questions? Very good, I appreciate the hard work. All in favor? Opposed?

*Unanimously Carried*

Mr. Nixon: Can I also hand you something? This is the invitation to the Lake Erie Media Day which is August 8<sup>th</sup>. We send it out by email, but sometimes it gets caught up in spam blockers and things like that.

Chairman Odell: The walleye is fabulous if anyone gets a chance to go. If you can't fish, at least you can eat afterwards. Thank you, Mr. Nixon.

Proposed Resolution- Acceptance of New York State Empire State Development "I Love NY" Funding for the Promotion of LECOM Health Challenge

Mr. McCord: Good evening. This resolution will allow us to accept the \$300,000 that is coming from the I Love NY Empire State Development Funds. Last year the LECOM agency received \$150,000 from I Love NY. This is very similar to what we have done for the past two years. It requires a resolution for us to act as the (*inaudible*).

Chairman Odell: The key words there that you just glossed over were that it's double the amount. Senator Young did take that in a budget line item to the State from \$150,000 to \$300,000 this year. Everyone can be thankful for that, for sure. Questions?

Legislator Chagnon: The first "Where As" says that "CREDC worked in conjunction with PGA Web.com to bring the LECOM Health Challenge to Peek-n-Peak resort for four years." So, what period of time does this funding cover?

Mr. McCord: This covers the third year. We are in the third year of this and this will cover this year's.

Legislator Chagnon: The first year was-

Mr. McCord: \$150,000.

Legislator Chagnon: The second year?

Mr. McCord: \$150,000.

Legislator Chagnon: And this year is \$300,000.

Mr. McCord: Yes.

Legislator Chagnon: So was it passed through to CREDC- the last two years is *(inaudible)*.

Mr. McCord: Yes.

Mrs. Dennison: Mr. Chairman, if I could just point out a minor typo.

Chairman Odell: Yes, absolutely.

Mrs. Dennison: On the last item- Increase Revenue Account, it says "A.6420." and there should be four hyphens after the dot. There is no sub-department there so we need to insert four hyphens and a period.

Mr. Odell: Have you got that Ms. Ames?

Ms. Ames: I do.

Mr. Odell: Thank you. Any other questions for Mr. McCord on this? With that correction, all in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorizing SEQRA Review of Waterways Panel 2019 2% Occupancy Tax Recommendations

Mr. McCoy: I have the packet that I usually prepare for these occasions. On the front page you can see a Google Earth map of the County with push pins in there just to give you geographical perspective of the areas in the County that the 2% program impacts. This year we were able to fund eight projects for a total of \$224,124. These funds will come from the 2019 budget. These are tentative and we will have to see how it shapes out for us for the 2%. There are a couple of really good projects here on *(inaudible)* and some up in the North County and one is

a little different than years past, the water waste panel embraced the boats steward program which isn't necessarily to control erosion sedimentation but helps to prevent the spread of invasive species and I think there are five push pins in here for that because it will be additional funds for boat stewards at Findley, Cassadaga, Chautauqua- I think it's six locations at Chautauqua, and then in the North County Harbors of Dunkirk, Barcelona, and Cattaraugus Creek.

Legislator Starks: Can I just make sure that my brain is with you on that? That's the project where there are people at the marinas to talk about making sure your boat is clean when you go from one lake to another?

Mr. McCoy: Yes, yes.

Chairman Odell: Drain it and scrub it.

Mr. McCoy: They come from some places that have some issues so we are trying to keep from catching those colds.

Legislator Starks: I just wanted to make sure I was on your wave-length.

Chairman Odell: Dave, 29 projects applied. Is that typical for a year? Around 30?

Mr. McCoy: Actually, we have been building that number. We do a lot of outreach and marketing. We advertise pretty heavily. We have also done what we can to create a pre-application process to encourage people to work with service providers like soil and water early in the year so that they can really develop a great, solid grant application. The need is out there. We definitely know that there are more projects out there that need to be funded. Certainly, some additional resources in the 2% program would be welcome because we could go from doing eight projects a year to doing sixteen or twenty, which would be very impactful. We've done over 2.5 million dollars in projects since the program's inception. This summer the construction period- we will do \$1 million this year. We are taking the same amount of money, \$220,000-\$240,000 and bringing in some Federal and State dollars largely for some ag projects which were a little out of the box but I think they will be very impactful. The runoff on those barnyards goes into streams, which goes into our lakes. Those projects are going to try to help to mitigate.

Chairman Odell: Outstanding. Questions or comments?

Legislator O'Connell: The projects that are not selected, are they encouraged to reapply with modifications or are they out of the process completely?

Mr. McCoy: They can reapply. Actually, we had one in the northern end of Chautauqua Lake and this is the third year they applied and they have been tweaking their application every time and they put together a real solid application this time and the committee liked it.

Chairman Odell: Good. Any other questions or comments for Mr. McCoy? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Authorize Use of Funds from the Chautauqua County Sewer Agency to Assess the Feasibility of Treating Wastewater Flows from the Town of Mina in the Village of Sherman Sewer Wastewater Treatment Plant

Mr. McCoy: This speaks for itself but I'll give you some background information. As Mr. Himelein can tell you, they have been trying to sewer Findley Lake for twenty years. Findley Lake like Chautauqua Lake, has a total maximum daily load for phosphorous or TMDL. The primary recommendation for managing Findley Lake's phosphorous problem is sewerage the lake. They tried very hard last year to- a culmination of twenty years-worth of effort to bring a referendum forward that would support that. They just missed by a few votes.

Legislator Chagnon: They being the town?

Mr. McCoy: That's right. So, here we are with the Chautauqua County Sewer Agency and to be honest with you, we have built a very solid team from our Law Department and from the members of the Chautauqua County Sewer Agency and the consultants that we have used. They do some very good work as has been evident by the South and Center Chautauqua Lake Sewer District expansion project. That first project is an \$18 million project. We are on the cusp of being able to fund that and the likelihood is that when the Environmental Facilities Corps. Water Infrastructure Investment Act grant comes out hopefully will be a shoe-in for that will fill that funding gap. There is also the work that the agency has done with coordinating with the North Chautauqua Lake Sewer District for their plant improvements- long term phosphorous upgrades. And also working with the Town of Chautauqua with their sewer districts to change or convert the Chautauqua Heights wastewater treatment plant- a small package plant that is aging- convert it into a pump station and pump to the North Chautauqua plant to treat it at a much better plant with better treatment results. What's important about that is that project will enable more projects to go forward on the north side of Chautauqua Lake, including shore lands and Point Chautauqua- two sub divisions with each around 90 homes that need wastewater treatment desperately. We have this team and we have a small budget from the 2% program of \$10,000 a year to advance those projects. In the past we used those for legal expenses but now that we have the County working- Steve Abdella and Allison Carrow working as attorneys for the agency, we have not spent that this year. That leaves us a little bit of money to work with the Village of Sherman. Sherman has a smallish plant that is well run but it is getting old. They have engaged a consultant to evaluate their collection system and also look at rehabilitating their wastewater treatment plant. Here we have two communities that are not so far apart that could benefit from a relationship with working together where you could possibly send the wastewater (*inaudible*) from Findley Lake over to Sherman and they treat (*inaudible*) and possibly do that as a county sewer district. This will allow the sewer agency to be able to make some decisions about how to go forward. Eventually, if everything works out they will commission a map plan report and try to form a district. We have learned a few things though the formation of the South and Center District expansion- how to do it right, and now not to scare people because of the cost. We have actually broken some new ground as Pierre can tell you; we have done some great things with the Office of the State Controller to assure that these projects can move forward in an affordable way.

Chairman Odell: Outstanding. Questions or comments?

Legislator Chagnon: As the chairman of this agency, I'm fully in support of this. The opportunity to bring a combined district to these two communities opens up funding opportunities that would not be available to either of the municipalities on their own so there are definite advantages of economy of scale, there are advantages of cooperation and sharing of facilities, there are also additional funding opportunities that would present themselves in this type of arrangement. The engineers are currently working with the Village of Sherman and have been for many years. They are a very good engineering firm and they are very excited about this opportunity.

Legislator Himelein: As Dave said, we need something over there in Findley Lake because there are sewers galore that go into that lake and we need to rectify that.

Mr. McCoy: Yes. The lake is densely developed and the soils are highly permeable with a lot of gravel.

Legislator Himelein: And they are just like any town around Chautauqua Lake and they are side by side and there is that much more of a load out there on the ecosystem that needs to be *(inaudible.)*

Mr. McCoy: This is such a good fit for what we do with the 2% *(inaudible)* for our lakes and waterways. Typically after the Fourth of July it turns pee green and it doesn't smell that well by August. This is a step in the right direction. This is a large investment and we are moving slowly and cautiously.

Chairman Odell: How long do you estimate the feasibility study to take?

Mr. McCoy: They will be done in the fall or maybe even sooner.

Chairman Odell: Great.

Mr. McCoy: There will be properties that will be sold and there will be some heartburn because when they are sold their sewer systems won't pass inspection and they are looking at large investments to make them compliant- in terms of \$20,000- \$30,000 sometimes because there is so little space and they will have to go to the high-tech systems. They will feel a little bit of pain but in the long term I hope that we will be able to move forward with this in a few years and they will be fully in favor of it.

Legislator Chagnon: The County Health Department is 100% in favor of this.

Chairman Odell: Without a doubt. Super. Any other questions? All in favor? Opposed?

*Unanimously Carried*

Proposed Resolution- Funding in Support of Chautauqua County Residents to attend  
The Babe Ruth World Series in Jamestown, New York

Legislator Wilfong: As the resolution states, the City of Jamestown sponsors the World Series Babe Ruth- the 16 to 18 year olds in the month of August. What we are asking for is the \$1,500 to actually buy out the championship game that is going to be held on Saturday, August 11<sup>th</sup> so there would be no charge for county residents to actually attend that particular game. It's a great economic impact for the City of Jamestown and for the County and we hope that you folks would approve this resolution.

Chairman Odell: Any questions or comments?

Legislator Chagnon: Mr. Chairman, I would like to propose an amendment to this resolution. When Mr. Whitford first spoke to me about this possibility, we were discussing the funding coming from the 3% occupancy tax reserve, so I took the opportunity to speak with Mr. Nixon about that and learned that (*inaudible*) viable approach. So, I would like to make an amendment to this resolution indicating that rather than the funding coming from A Fund Balance that it comes instead from the 3% occupancy tax reserve.

Legislator Himelein: I'll second that.

Legislator Starks: I'll third that because I had the same conversation when he called asking about it and that was my understanding.

Legislator Chagnon: I think there was just an oversight.

Chairman Odell: OK. We are going to amend by substitution.

Clerk Tampio: After speaking with Mr. Wilfong and Mr. Whitford, I have a question. It states "Chautauqua County residents." What if there are visitors is it free admission for everyone?

Legislator Wilfong: Yeah, I would say that. I don't think there will be anyone at the gate so we are promoting this as Chautauqua County residents but there is no one there to actually see where you're from.

Legislator Himelein: It will be \$1,500 no matter what, right?

Legislator Wilfong: Correct.

Clerk Tampio: Do you need to say residents and visitors?

Chairman Odell: Probably not for the sake of the resolution.

Legislator Wilfong: I can't imagine that- I mean maybe people from Warren would come.

Legislator Chagnon: The resolution states that it provides free entrance for Chautauqua County residents. It doesn't say "only."

(*Crosstalk*)

Chairman Odell: Ms. Dennison is going to correct our accounts, I believe.

Mrs. Dennison: Yes I am. It should be increase the use of- resolve that the reserve for occupancy tax is appropriated as follows. Increase the use of fund balance is OK but it would be A.----.----.883.0000 and then in place of unassigned fund balance, it would be reserve for occupancy tax. I will double check that. Olivia, I will let you know if that's correct.

Chairman Odell: The occupancy of Russel Dietrich Park is 3,000, so we will see- if that gets exceeded it will be a good thing. Let's vote on the amendment first. All in favor of the amendment please say aye. Opposed?

*Unanimously Carried to Amend the Resolution*

Any questions on the amended resolution? All those in favor of the resolution as amended? Opposed?

*Unanimously Carried as Amended*

MOVED by Legislator Starks, SECONDED by Legislator Chagnon to adjourn.

*Unanimously Carried (6:40 p.m.)*

Respectfully submitted and transcribed,  
Olivia L. Ames, Committee Secretary