

Minutes

Planning & Economic Development Committee

July 17, 2019, 6:00 pm, Room 331

Gerace Office Building, Mayville, NY

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

Others: Tampio, Ames, Bentley, McCoy, McCord, Dennison, Brickley, Nixon, Hemmer, Kurtz, Fowler, Aldrich

Chairman Odell called the meeting to order at 6:05 p.m.

Approval of Minutes (6/19/19)

MOVED by Legislator Starks, SECONDED by Legislator O'Connell.

Unanimously Carried

Privilege of the Floor

No one chose to speak at this time.

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

Mr. McCoy: When the County took the initiative to form the County Sewer Agency for the South & Center District expansion along Chautauqua Lake, we were able to facilitate along with some very good people, a project magnitude of around \$18 million dollars in the matter of five years which is light speed for these kinds of projects. The goal that agency was met, it sunset, and the County formed another agency to look at wastewater issues in the Findley Lake area. Last year, through the efforts of Bill Boria, we were made aware of the Village of Sherman's efforts to improve their plant and collection system and we had an opportunity to look at taking wastewater from Findley Lake, using a County sewer district as a platform, if you will, to make that happen. We had money left over from the original sewer agency. We were able to commission that study working with the Village of Sherman and it was completed. We are now looking at another option to perhaps serve three communities, if you will, Peek'n Peak in the Town of French Creek. An economic development opportunity. Findley Lake which is really the colonel, if you will, of the issues we have out there with wastewater (*inaudible*) like Chautauqua Lake have a limit for phosphorus and one of the recommendations is, municipal wastewater treatment and then also leveraging the possibility of working with the Village of Sherman who

already has a project underway. So, there are a number of scenarios that could play out. Don't want to get into the weeds, if you will, on all of these but we're looking for \$10,000 to do a feasibility study to look at this bigger opportunity.

Chairman Odell: You have (*inaudible*) good direction. Any questions from the committee?

Legislator Proctor: No questions because I'm pretty deeply involved in it.

Legislator Chagnon: The Chairman of the Sewer Agency is sitting down at that end of the table.

Legislator O'Connell: Does the present sewer plant have capacity to take in the outside water without a major expansion?

Mr. McCoy: They are undergoing a design right now for an upgrade. It's thought that this opportunity may allow them to grow their capacity to be able to take that amount, but none the less, they are moving ahead. It might take us, if we're lucky, four or five years to get to where South & Center got to previously. But it's not an insurmountable problem, but there may be a more logical solution in making the plant located down near the Peek'n Peak resort.

Legislator O'Connell: So this isn't the only option that is being looked at to solve this problem?

Mr. McCoy: That's right.

Legislator Chagnon: That was basically my question Dave is that, this isn't just a expansion of the previous study, this is looking at other options as well.

Mr. McCoy: That is correct.

Chairman Odell: As we should in a feasibility study, right? Very good. No other questions, all in favor?

Unanimously Carried

Proposed Resolution - Environmental Assessment of Projects for 2020 2% Occupancy Tax Projects

Chairman Odell: Which we now all have the environmental assessment forms, thank you Kathy.

Mr. McCoy: We do this every year. We have been doing it since 2009. Two months ago the Legislature authorized us to do the environmental reviews on the recommended projects. That has been done and the recommendations of those reviews are in our packet. This year we have 7 projects to fund. Six of them are subject to SEQRA as unlisted actions. One project is a

type two action which is technically not subject to SEQRA, although we do a review to document that we did do it. It's a boat steward program. Very worthwhile program. I'm thinking in terms of what we've experienced on Chautauqua Lake in the last few years with dealing with invasive species. What a good thing it would have been to have the boat steward program in the 70's before some of these invasive's were introduced to the lake. So this boat steward program will have people, smiling faces, young people at the launches and some retired people as well. They will check the live wells, the bilges, and the trailers to make sure that there are no invasive species coming into the lake. Some of these boats come from places that do have invasive problems.

Chairman Odell: Education outreach, right?

Mr. McCoy: That's correct and prevention.

Chairman Odell: These are great projects. Any questions from the committee?

Legislator Proctor: (*Inaudible*) said that Findley Lake was a good project location but then it's not on the previous description or on the map. Are they not included in on that?

Mr. McCoy: I'm not sure if there will be a steward on Findley or not. I can check on that. I was of the impression that there would be. I can give you an answer, but not tonight.

Chairman Odell: Any other questions?

Legislator Starks: These are always great projects every year, thank you for all you do with it.

Mr. McCoy: It's a unique program. No one else in New York does this. We've been working (*inaudible*).. so it's outstanding and it also has the ability to leverage additional funding from the New York State.

Chairman Odell: Thank you very much. All those in favor?

Unanimously Carried

Proposed Resolution - Commitment of Funding Assistance for New York State Department of Environmental Conservation Water Quality Improvement Program Grant for the Bemus Creek Sediment Trap Project

Ms. Brickley: As I come before you about this time every year, we're looking for some matching local funding assistance for our State grant. This is located about 1,500 linear feet up from the mouth of Bemus Creek. There is sedimentation happening at that mouth. We have done a dredging feasibility study that looked at some of the major challenges to dredging that out. I know Dave actually in past years, has tried to orient the community to something, it just hasn't panned out so this is really a proactive approach to reducing the sedimentation rate that is coming out the mouth of Bemus Creek and along with that, the nutrients that that sediment

carries. So this is a multi-partner project with the County, Soil & Water Conservation District, the Alliance, and the Town of Ellery. The Town of Ellery will be the grant applicant in this case. This will be a WQIP grant application that covers up to 75% of the total project costs requiring a 25% local match. Where we're asking to pull these funds from is that earmarked account that has been established since 2015 to try and leverage local dollars to pull in those State commitments. So we're looking for the commitment of \$18,733 in local funding assistance and that account currently has \$34,252 uncommitted at this time.

Chairman Odell: Any questions?

Legislator Chagnon: I will just point out that I actually have to confess that I initiated this project. Many years ago the Town of North Harmony implemented a sediment trap in one of their streams as a demonstration project. It's a great win/win because the sediment that it collects, the Town Highway Department goes in, removes that and uses that for their road construction for beneficial use.

Chairman Odell: It's bank run gravel, right?

Legislator Chagnon: Right. So rather than letting that flow into the lake, the benefit is to keep that from going in and filling the lake and adding the nutrients to the lake but also the beneficial use to the Town of taking that gravel out. For whatever reason, that demonstration project never caught on anywhere else and so I, being that persistent individual, I kept after this and finally found a location on Bemus Creek that is really ideal for this. The location is on State property and the State is willing to allow the construction at that site which has excellent access for the Town equipment to get in and get the gravel out. It's a win/win/win. So, hopefully we'll get this grant and we'll be able to finally do one of these projects that I've been seeking to do for the last six years.

Legislator Starks: I love the repurposing of material.

Chairman Odell: Thank you, any other questions?

Unanimously Carried

Proposed Resolution - Authorize Chautauqua County State Grant Application and Commitment of Matching Funds for County Complex Green Infrastructure Retrofit Project

Mr. Bentley: I will just give a project review. The County is looking to improve the infrastructure of the County complex.

Chairman Odell: Right out back here, right?

Mr. Bentley: That includes the parking lots, that's primarily (*inaudible*) and with this grant possibility, because we're looking at doing rehabilitation of the existing parking lots. We're going to do a little bit more than that, as you are aware, but as part of the grant, we would

be able to do some enhancements according to the Chautauqua Watershed and improve the storm water runoff permeable pavements, (*inaudible*) I guess you call them and this would be, what I would consider Phase II of the parking lot upgrades and the campus upgrades. The first part would be the existing GOB lot, and expansion thereof. This would rehabilitate the existing HRC lot and whatever you all that other one down there and then also includes some sidewalks and greenery and soils to improve the storm water capabilities of the system. I think it's a great combination of grant money and County use, the timing is great from (*inaudible*) timing, expand this and then the following year, look at doing this. Lines up with their grant application and funding. So I think from a timing aspect, it also works out well, which is also nice, don't have to wait.

Chairman Odell: The expansion she is talking about is the property that was acquired.

Mr. Bentley: What this does require as part of the grant and she can talk about it is, using some matching funds to leverage the grant. So I have that money available in the existing capital project, the parking lot. It's listed here at \$94,000 and change and I have that money in the existing capital project which I'm saving because I'll probably self-perform some of this. I don't have to ask for an increase in budget to do this either so it seems like a win/win/win across the board.

Ms. Brinkley: Great summary. Just to step a little bit back as to why I approached Brad in the first place is, this really goes back to efforts that we already partnered with the County on in 2017 to go after a grant to fund storm water study for the Town of Chautauqua and the Village of Mayville. So that study was ongoing over the two year period. It was completed this May and this was one of the six vetted projects that came out of that study as recommended action. So, that was actually a two year process community (*inaudible*) and again, we knew that, we had already contacted Brad during the study understanding where they were going, what their timeline was and the engineer that was working on that study did a really great job of feeding in additions where it made sense time wise. I guess we are looking for that match and this is a green infrastructure grant program, or GIPG, which will cover up to 90% of the total cost of the projects.

Mr. Bentley: So the signature technological piece of this is, called forest pavement. So basically, which I think they are doing in Lakewood, but you basically could pour a cup of water on the pavement and it will drain straight through and underneath the pavement is kind of a sub-base so the water drains through the sub-base and acts like a filter. It does require maintenance so we'll have to use like a vacuum truck to (*inaudible*) out sand and grit each year but I think we have those capabilities already and through the sewer district. So, borrow the truck, come in, suck it up, basically (*inaudible*) capability to (*inaudible*)...

Ms. Brinkley: Actually, generally requires less salt usage on those surfaces as well so we're looking at for the County to really step up as a steward and show that this technology is available, it works, and it's great.

Mr. Bentley: Also, it's just not the parking lot surface, we're also doing sidewalks, and improving the overall storm water swales and (*inaudible*) so it doesn't go into the lake. We have

a large campus, there is a lot of runoff in here. I think the total project itself is going to be a huge success.

Legislator Chagnon: You'll be able to demonstrate with three technologies in one project which is great for demonstration.

Chairman Odell: Certain has utility and benefit which I would say in any of these projects, is perfect. Anything to add?

Legislator O'Connell: Super project.

Chairman Odell: Anything else?

Unanimously Carried

Proposed Resolution - Authorize Use of 3% Occupancy Tax Undesignated Off-Cycle Project Funding to Construct Educational Kiosks at the Chautauqua Hometown Heroes Veterans Memorial

Chairman Odell: Mr. Kurtz, thanks for being here. As you recall last month we had a presentation for the Hometown Heroes Veterans Memorial Park and learned a little bit more about it. We had the amazingly, wonderful, dedication ceremony. A lot of people in attendance that day, including myself, and really got a feel for really not just the initial scope, but what it's going to develop into. So, Jim last month gave us a presentation on beyond the scope and what their project timeline is and we looked at ways that we could assist and help too in what you were looking for to help fill some of the stopgap. What we're looking at here Jim was on the marketing side and education outreach with the people coming into town, will be looking at and learning about as they come to the County seat here, our Chautauqua County Hometown Heroes Veterans Memorial Park is an educational kiosks. Who were these people and we talked about all of them from prisoners of war, missing in action, those killed in combat, those who served, that litany goes right (*inaudible*) . So anything else to add on that Jim?

Mr. Kurtz: Well again, thank you for the resolution. At the last meeting you asked for some additional information regarding the engineers plans for the building –

Chairman Odell: And the budget breakdown which you provided, so thank you.

Mr. Kurtz: I did send that. Good news/bad news, since then, we've revamped most everything and installed a 4 ft. handicap accessible sidewalk around the whole gazebo which will be covered. So wheelchairs can go around and they can see the outside wall, which is the sponsors wall on – well, it depends on which way they go around but, they if go around it on the right, then on the left would be the kiosks. So they would be covered while they are looking at the kiosks as they are going around. I can give you 10 things that we have done since we've last met, if that's –

Chairman Odell: I see that the ground is broken already, I just drove by.

Mr. Kurtz: Well, that's one of them, they went and took the topsoil out, the next step is they have to take out – actually (*inaudible*) Peacock Lodge which is where this building now sits, is where they dumped it down there so we're going to dig that out so we have a permanent foundation to put the texture material so grass doesn't grow back up through it. We got the drains in, we got the parking lot in, so that part is done. We have applied for another grant from the Reg Lenna Foundation. If this passes, it's going to help us with that because, you know, they see somebody else giving a grant, it's a little easier to get the next one so hopefully this goes through. We still have Northern Chautauqua to request a grant and the Buffalo Area Community Foundation expressed an interest in helping us out. We've started a (*inaudible*) so it might be (*inaudible*), by a ticket on that. Since then we've sold 465 candy bars, so if anybody has a sweet tooth, we have boxes of 50 (*cross talk*).... Webb's candy bars and we've had 38 additional brick orders since last month. We keep working. We're going to go to Sherman Days, we're going to go to the first Friday in Westfield, we're going to Fredonia Farm Festival to set up and try and sell bricks and candy bars. We're working at it and not just sitting back and saying give us money. Thank you. If anybody wants the updated plans showing the walk-around, I have those. I can send them to you or whatever your pleasure is.

Chairman Odell: You distributed it to me and I can get it to the group Jim, just so they have it for their records. That would be great. Any questions for Jim. I know that we discussed this at length last week so I'm willing to move this downstream. All in favor?

Unanimously Carried

Proposed Resolution - Authorize Use of 3% Occupancy Tax Undesignated Off-Cycle Project Funding to Support Marketing Efforts at the Grape Discover Center in Westfield

Chairman Odell: Is there anyone here to speak to this tonight?

Mr. Fowler: I was here last time and I actually had a chance to speak with you and give you presentation material on what we are hoping to do for the long term and that was the expansion of the, and that was in the submitted application. What this specifically is outlining is, we have a gem, as I said before, in northern Chautauqua County tied in with the whole Lake Erie community tourist attraction, the wineries, etc., and it's a great jumping off point. Part of this would be to increase the marketing efforts, the awareness for people that are out there to provide for a little bit more insight into all the different farm projects, to talk about the expansion of our exhibit area into the wine industry. Let me give you an example. We're pretty dry as far as providing any kind of social media and any kind of Google advertising, or Instagram, Youtube, etc., for the past six months. This past month we ramped up some of that spending for social media and the latest event that we had, had 120 children come to a zoo opening learning about grapes of the Grape Discover Center because of that social media presence. So, between Google, Youtube, Instagram, and social media advertising, I think we could probably increase the draw to the County, bring more people on board and I guess to other tourist attractions in the area that would benefit from that expanded tourist visitors. We had someone today on Messenger asking for use of our photos for example, finding out about us on Facebook, putting together a tour and then including the Grape Discover Center in that. The other part of this is, when I gave you the

plans or showed you the plans for our expansion, there are some interesting things happening there too. One of the things we want to do is, improve the outside area with some window replacements, hook up the water so that our culinary kitchen could be prepped for, if you would. I'd like to ask you for the full \$670,000 that we need to expand the building but that probably wouldn't work so what we're going to do is these incremental steps. What that would include is hooking up the water so that a local vendor who manufactures product in the area, had to take it to Rochester, couldn't use our culinary kitchen when we build it. We have another local small business that makes etching on wine bottles and stones and uses the Buffalo or Westfield longitudes and latitudes, really interesting product that he sells on Etsy and it's actually a pretty successful business. He wants to use the back end of our store. So, we're almost by default becoming a little incubator and that would be what the goal of that whole culinary kitchen and the conference area etc. would be and the request here is to take some of those next preliminary small steps to do some of that.

Chairman Odell: A lot of that was outlined in your presentation last month which was good but what was presented and what is in the resolution here is what was I think throwing me off a little bit. In reading it, WHEREAS, funding from the County will assist the Center in sustaining its operations and keeping its doors open for another seasons while it executes a new marketing and events strategy, and developing a strategic plan aimed at increasing visitation and in the first RESOLVED, the County Legislature hereby authorizes the use of \$10,000 from the 3% OT project budget to assist the Grant Discovery Center to remain sustainable.

Mr. Fowler I mean our sustenance is visitors, so us being able to draw the number of visitors – we get about \$6 to \$7 a retail sale for every visitor that comes in. So they get to enjoy the exhibit area, they also get to enjoy some of the local products that we have so the sustainability is increasing the visitors. We're sustainable now, when we hit August, we go over the top and we're sustainable, if you would. Growing that number of visitors would allow us to sustain even better, longer, and then through the social media advertisement, pick-up visitors earlier in the year when we don't have to wait until August to keep things going. So that is why the draw of the visitors, that's our sustenance. Sorry, I didn't make that clearer.

Chairman Odell: No, no, in the resolution is where it is missing so, in order to help me, help you, we're looking at this towards infrastructure improvements, or water and a culinary kitchen.

Mr. Fowler: Preparing us for our strategic expansion if you would.

Chairman Odell: For the special events.

Mr. Fowler: Last year we had a Statewide Concord Grape summit and we probably had a 5 to 600 people there, including the Lieutenant Governor and our conference area was a perfect venue for that once it was adapted, or masked, or hidden, some of the things like the loose windows, not being exposed. We would be able to sustain that for the longer term. I'm not talking about in the next few years or so but would be able to support weddings, other conferences there, once we start making these improvements to the back of the building.

Chairman Odell: So infrastructure in addition to marketing, what it's going to bring, (*inaudible*) to the region, I'm just down the street from 21Brix so I do understand the synergy and the importance.

Legislator Chagnon: Mr. Chairman, respective of the benefits of the projects, with thanks to our Legislative Clerk, who has gone back into the records, we find that the Grape Discovery Center was funded through occupancy taxes, seven time previously. According to the guidelines set by the Legislature in resolution 160 of the year 2011, it stated, commencing with awards for 2012, each project may be funded for no more than three years, including years prior to 2012. So, I don't believe that this project qualifies for occupancy tax money.

Mr. Fowler: Even if it's a separate project? This is a different project. I mean, it's the same Grape Discovery Center that (*inaudible*) Grape Belt Heritage Association but the project is new.

Legislator Chagnon: I would contend that this does not meeting that standard. For that reason, I won't be able to support it.

Mr. Fowler: Well, thanks for considering it anyway.

Legislator Chagnon: Good luck.

Mr. Fowler: Is that it?

Chairman Odell: We just have to take a vote. Any other questions, comments or concerns? All in favor?

Legislator Starks: Although it's wonderful, I do agree with Pierre. We did have these guidelines in place for a reason to spread funding out across multiple opportunities and to continue them in one direction is not fair to others. Although I do love the Discovery Center.

Legislator O'Connell: I would agree with your statement. This is a project that is going to make you more viable but this doesn't seem to be the right venue to look for funding.

Mr. Fowler: Okee dokee. I've taken all your names down. When you get to the Grape Discovery Center, we'll charge you a fee to get in there. But, again, thank you.

Chairman Odell: All in favor?

Unanimously Defeated

Legislator Starks: Unfortunately there are rules and guidelines.

Chairman Odell: That's a stickler. We tried to point out the pros and benefits on the infrastructure side but, that is in place. Mrs. Tampio, thank you for clarifying that.

Proposed Resolution - Amend Resolution 137-19 – Authorize Use of 3% Occupancy Tax Monies to Support the Chautauqua Lake Pops by the Shore Series in Mayville

Mrs. Dennison: Resolution 137-19 was adopted in May and as you may recall when the resolution was originally proposed to you, it was written to take money from the occupancy tax reserve and then during discussion with the committee, it was decided to take it from the off-cycle project budget. So we made some adjustments to the resolution based on the discussions with the Committee but when we were working on the previous two resolution this month, I realized that we did not properly change the resolution in committee. Because we did not strike out the language to increase the use of fund balance. There was a confusion in the schematics between the occupancy tax reserve and the occupancy tax undesignated off-cycle project budget. The undesignated off-cycle project budget is not part of the reserve per say. It's a budgeted item and so the resolution should have been just to take money from that budgeted item. Not to withdraw from the reserve. So this amendment will make those changes.

Chairman Odell: Housekeeping.

Mrs. Dennison: I actually do have a question based on previous resolution. I have not done research to figure out, has the Pops series hasn't received occupancy funding in the past.

Chairman Odell: Different entity.

Mrs. Dennison: Different entity, o.k., so it's eligible, new entity is eligible.

Chairman Odell: Yes. That question did come up. Thank you. Any questions on this?

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: I can hand some information out that supplements the resolution copy. Just in the way of further explanation. This is an annual resolution that allows us to make application to I Love New York Division of Tourism Matching Fund program. We're requesting being allowed to apply for up to \$250,000 using the formula which is on page two of the handout. We can actually apply for \$245,400, so \$250,000 allows us to hit that maximum application window. The formula indicates though, what we'll get. So those amounts are in bold where it says total grant amounts, again, this is on page two of the handout, \$63,384 for County only programs and \$5,790 for Chautauqua-Allegheny Region programs. So then if you come back to page one, it just breaks down how that is allocated in specific programs. The total anticipated grant is \$69,174. Number one is County only programs, \$63,000 times two is \$126,000 and we spend that on our travel guide, mailing of the travel guide, and some ad placements with I Love New York Coop programs. The second part of the grant is in conjunction with Cattaraugus and Allegheny counties, we each end up putting in \$5,090 times two, once matched for \$34,000

program which breaks down to be spent on travel shows, an 800 phone service and website for the region. Some media ad placements and collaboration with some western New York projects where we end up working with Erie and Niagara County. Again, this resolution allows us – it's something that we include in our application packet and we'll have to apply by the end of August for part one of the application. So I would be happy to answer any questions.

Chairman Odell: How are things shaping up so far Andrew?

Mr. Nixon: It seems good once we got to a certain point in June. Close to the end of June things have improved quite a bit. We're very weather dependent (*inaudible*) tourism industry but the lake vacation areas are very busy. I know this weekend in Sunset Bay, they have a 500 person fishing tournament taking place out of there and they are just generally busy beyond that. Chautauqua Lake seems extremely busy and Jamestown is doing well with the Comedy Center. So it should be a good year.

Chairman Odell: Sales tax numbers and occupancy tax numbers will tell, right. It's always a good indicator. Thank you very much for that. Any questions?

Unanimously Carried

Proposed Motion - In Opposition to Construction of Wind Turbine Farms on Lake Erie

Chairman Odell: Just for everyone's awareness, this is what will be bringing forth next week. This is in opposition in constructing wind turbines farms on Lake Erie. I believe that we have all of the Lake Erie Legislators accounted for on here, right?

Legislator Starks: I'm not.

Chairman Odell: Aren't you Fredonia proper?

Legislator Starks: Well, Mr. Scudder doesn't have the lake. Does he have a little bit?

Chairman Odell: Yes, by the sewer district, sewer plant.

Legislator Starks: Well, in any regard, I still support it.

Clerk Tampio: We can add you name to it if you want to.

Chairman Odell: We certain can. Do you want to be on it Christine?

Legislator Starks: Sure.

Chairman Odell: Mrs. Starks would like to be added. With that, we'll bring this up next week. Duly noted Madam Clerk?

Clerk Tampio: Yes.

Legislator Starks: I just feel that Dunkirk/Fredonia colleagues are there –

Chairman Odell: We don't want you to feel excluded. O.k., now onto the discussion.

Discussion – Update – 2020 Herbicide Applications to Chautauqua Lake – Dave McCoy

Other

MOVED by Legislator Starks, SECOND by Legislator O'Connell to adjourn.

Unanimously Carried (7:02 p.m.)

Respectfully submitted and transcribed;

Olivia Ames, Deputy Clerk/Secretary to the Legislature/Lori J. Foster, Sr. Stenographer