

Cattaraugus County Planning Board Meeting Minutes

April 7, 2005

Location

Cattaraugus County Center
303 Court Street
Little Valley, New York

PLANNING BOARD MEMBERS PRESENT:

William Sprague, Chairman
Paul Mager, Vice Chairman
Ann Padlo, Secretary
Charles Couture, Assistant Secretary
Florence Fuller
Robert Keis
David Rivet

PLANNING BOARD MEMBERS ABSENT:

Tina Abrams
Jack Berger
Kameron Brooks
Daniel McCarthy
David McCoy
James Rich

PLANNING DIVISION STAFF:

Terry H. Martin, Chief Planner
David P. Paoletta, Senior Planner
Paul R. Bishop, Planner
Margaret E. Puszcz, Stenographic Secretary

GUESTS:

William Giardini, Giardini Bros. Construction
William E. Giardini, Giardini Bros. Construction
Dave Giardini, Giardini Bros. Construction
Tony Giardini, Giardini Bros. Construction
Becky Dash, Franklinville Village ZBA
Tom Willett, Reid Petroleum (Yellow Goose)
Rick LeFeber, Cattaraugus Local Development Corporation
John Sayegh, Cattaraugus Empire Zone
Mary Geroge, City of Olean
Gary Abraham, Concerned Citizens of Cattaraugus County
Maureen Sheahan, President, Concerned Citizens of Cattaraugus County
Joan Petzen, Agricultural & Farmland Protection Board
Crystal Abers, Vice-Chairman, Cattaraugus County Legislature

Charles Krause, Cattaraugus County Legislator
William King, Supervisor Town of Ashford
Richard Fuller, Supervisor Town of Yorkshire
Rick Miller, Times Herald
Kathy Kellogg, Buffalo News

Chairman Sprague called the meeting to order at 7:09 p.m.

APPROVAL OF MINUTES

David Rivet moved with a second from Charles Couture to approve the February 24, 2005 minutes as corrected. Carried.

NEW BUSINESS

General Municipal Law Section 239 (l) & (m) Referrals

City of Salamanca - Site Plan Review - Construction of Building - 752 Wildwood

David Paoletta reported that the City of Salamanca Planning Board has referred a Site Plan Review for the construction of a 120' x 40' (4,800 sq. ft.; 16' high) storage / shop accessory building with offices on the site of an existing concrete batch plant at 752 Wildwood Avenue. The building will have a wood frame structure with tin siding and roof and a concrete floor. The addition of the accessory building is the only change to the concrete batch plant site plan for which the County Planning Board recommended approval on August 26, 2004. The proposed accessory building will be connected to City of Salamanca utilities. There will be no airborne emissions or effluent discharges to streams or groundwater. The proposed structure is a Permitted Accessory Use in an Industrial Use Zoning District pursuant to Section 4.8.2.b (2) of the City of Salamanca Zoning Ordinance. There are no environmental concerns (constraints to the project) identified. A Public Hearing was held on March 17, 2005 with no comments in opposition. The project is supported by the Salamanca Planning Commission. SEQR is being adequately addressed by the City. Staff recommendation is approval.

Charles Couture moved with a second from Paul Mager to approve the referred City of Salamanca Site Plan Review for construction of a building at 752 Wildwood Avenue. Carried.

City of Olean - Site Plan Review - Mining of Gravel - Gargoyle Park Road

Terry Martin reported that the City of Olean Planning Board has referred a Site Plan Review for the Mining of Gravel at Gargoyle Park Road, which is located on the boundary between the City of Olean and the Town of Allegany. The proposal is to add a total of 88.5 acres to the currently permitted 20.5 acres in the Town of Allegany. The expansion consists of 52.52 acres west of Gargoyle Road in the Town of Allegany (West Site), and on the east side of Gargoyle Road, east of the City of Olean's fire company training area (East Site), 26.68 acres in the Town of Allegany and 13.30 acres in the City of Olean. Excavation below the groundwater table is proposed, deepening the existing previously excavated 46.77 acres West Site lake to a maximum depth of 50 feet and expanding the existing previously excavated 10.4 acres East Site lake to 24.35 acres, also up to 50 feet deep. The existing material processing and stockpile area at the West Site will remain at the same location with the addition of settling basins to eliminate process water discharge into the lake. No processing is proposed at the East Site. A single haul road is proposed to connect the East Site to the West Site, via a right-of-way across the fire training area, continuing perpendicularly across Gargoyle Road. The estimated life of the expanded mine is 74 years and the reclamation objective is private recreation.

Mr. Giardini stated that Giardini Brothers own 65 acres in the City but will be actually mining only 8 acres in the

City of Olean. This is a family owned business. They have had a mining permit for the past 27 to 28 years. They have actually been mining in the Town of Allegany for 40 some years and there has been no silt in the River, no dust over the City of Olean and no complaints about noise. When they have finished mining the area, the Reclamation Plan calls for a beach around the lake. You will be able to walk out into the lake for at least 100 feet before it becomes too deep to walk. His engineering crew, Rod and Marlene Sergal, were not able to attend this evening.

Chairman Sprague asked how deep they plan to mine?

Mr. Giardini stated that the permit allows them to go 50 feet, but they probably won't reach that depth.

Chairman Sprague asked if they have any security measures in place after they close the mine?

Mr. Giardini replied no.

Mr. Martin stated that this zoning referral is for the City of Olean portion of the project only. We do not know what the Town of Allegany will say about the project. It is one site plan in private ownership that sits partially in the City and Town. Also the City of Olean Zoning Board of appeals granted a variance for this project in December without referring it to the County Planning Board. According to Department of State Attorney's, the municipalities ZBA should rescind this action and then refer it to the County Planning Board. This procedure is mandated by state statute.

Extensive discussion concerning the variance issue and the potential effects of the City's Zoning ordinance and the project.

Terry Martin stated that staff recommendation is to table the referral for 30 days so that we can coordinate this review between the City of Olean, Town of Allegany and the NYSDEC. He also recommended an advisory that the City of Olean Zoning Board of Appeals should rescind and re-do its action taken in December which granted a variance to the City's Zoning Ordinance and allowing a mining operation to take place within the City limits, paying careful attention to statutory procedures.

Ann Padlo stated that the County Planning Board had recommended that a moratorium on gravel mining be put in place.

Terry Martin replied that during the completion of the Gravel Mine Study for the Route 16 corridor, the Board had recommended that such an action be taken by the NYSDEC in order to look at the cumulative impacts of gravel mining along the Route 16 corridor. It was not to stop mining operations. The NYSDEC turned down our request. The County's Gravel Study also recommends that all parties seek balanced development in which the reclaimed land after the gravel has been removed is designed to fit into the community's plan. The study recommends "win-win" solutions.

Gary Abraham, Concerned Citizens of Cattaraugus County, gave the Board copies of a letter dated March 22nd to the NYSDEC from the Concerned Citizens group concerning possible environmental impacts of the mining operation, and which also incorporated comments from a resident of the nearby trailer park. Mr. Abraham highlighted some of the concerns.

Mary George, City of Olean defended the City of Olean's Zoning Board of Appeals action and indicated that the ZBA acts independently from the City Planning Board.

John Sayegh, Cattaraugus Empire Zone, stated that over the years, this Board has adopted a principal of striking a balance between the environment and the project. To request that an EIS be done is putting an undue hardship on the Giardini Bros. The Giardini Bros have given access to the "Allegany River Valley Trail" which passes by the current mining operation. Users of the trail have never experienced any dust. He has driven to the trailer

park in question and parked. He could hear mining going on, but it was hardly noticeable. Mr. Sayegh referenced letters from the City Mayor and Town of Allegany Supervisor. He also mentioned the flood prevention dike, with vegetation, that is a barrier between the beautiful lake and the trailer park.

Mr. Sayegh stated that the Empire Zone Board supports the Project and he believes that the Greater Olean Board will also support the project. He also referenced an email from Joe Higgins, founder of the "Trail" in which Mr. Higgins states that this project will have little or no impacts on the "Trail".

Mr. Sayegh said that a traffic study is not necessary with only four trucks an hour projected. He urged the Planning Board to look favorably on this project.

Mary George stated that she would like to reiterate Mr. Sayegh's comments. The City is relying on DEC and its Negative Declaration, which puts the City's timeline into effect.

Upon further discussion, Mr. Martin restated that the staff recommendation is to table the referral for 30 days so we can coordinate this review between the City of Olean, Town of Allegany and the NYSDEC. He also recommends an advisory that the City of Olean Zoning Board of Appeals should rescind and re-do its action taken in December which granted a variance to the City's Zoning Ordinance and allowing a mining operation to take place within the City limits, paying careful attention to statutory procedures.

Ann Padlo moved with a second from David Rivet to table for 30 days the City of Olean referral for Site Plan Review for Mining of Gravel at Gargoyle Park Road so that an inter-municipal coordinated review can be conducted between the City of Olean, Town of Allegany and the NYSDEC with an advisory that the City of Olean Zoning Board of Appeals should rescind and re-do its action taken in December which granted a variance to the City's Zoning Ordinance and allowing a mining operation to take place within the City limits, paying careful attention to statutory procedures.

Paul Mager stated that he believes that the County Planning Board is right in asking the municipalities to coordinate the review. The City has the right to go ahead without coordinating with the Town of Allegany, but if the project were to be changed for some reason when the Town of Allegany reviews it, the City would have to review it again.

Robert Keis expressed concern about who should be doing the coordinating. He believed that the County should take the initiative and arrange the inter-municipal coordination of the review with the principles involved.

The Board agreed and asked that the motion be amended to include that the staff should arrange the inter-municipal coordination of the review with the principles.

Maureen Sheahan, President of the Concerned Citizens, stated that she believes that there needs to be balanced growth along with maintaining the environment.

Mary George stated that the City is not responsible for coordinating the project. The DEC should coordinate.

Mr. Giardini stated that there are 48 trailers in the trailer park. This one lady is the only complaint he has ever received from the residents of the trailer park.

Motion carried with Charles Couture opposed

Village of Franklinville - Site Plan Review/Variance/Special Use Permit

Terry Martin reported that the Village of Franklinville Zoning Board of Appeals has referred a Special Use Permit for a gas station in a B-1 commercial District, a Variance for the reduction in the required number of parking spaces and a Site Plan for construction of a larger building, the replacement of the old underground gas

tanks with four new underground tanks and the widening of the curb cuts at 3 S. Main Street.

Mr. Martin stated that he has concerns that the design of this project will affect the character of the B-1 Commercial District and the nearby Historic District. He stated that some village officials were also concerned. This is a suburban type of design and should be changed or located elsewhere, perhaps on the outskirts of town, away from the downtown. Also the County has adopted the Randall Arendt concepts, which would place the parking on the side or in the back of the building. This design is not appropriate to this location so close to the downtown's Historic District.

Becky Dash, Chair of the Village of Franklinville ZBA stated that this business is currently in operation at this location with bad traffic circulation. When cars pull in and out of this business, they do so on a horizontal angle to the road. The cars must park on the sidewalk in order to fuel up. The business has agreed to move the fueling island back so as to improve traffic circulation. Cars will now exit at a perpendicular angle to the highway. They have also agreed to add green space in front by the highway and along the side and next to the building. They have agreed to make the façade of the building in a Victorian style similar to the Bank and Post Office, which are in the same neighborhood. There is not enough room to place the parking on the side because of the shape of the parcel. There were discussions concerning the back of the parcel, which is now used as a back entrance to the grocery store. It has been agreed to leave that area black topped instead of grass so that in the future, perhaps something can be done with that area.

Tom Willett, Reid Petroleum (Yellow Goose), stated that this business is not located in the Historic District. They have moved the fueling island back in order to improve the traffic flow. The current building is old and needs to be updated. They have agreed to keep the back of the property open and at the side for the alley way. He has been in business 25 years and believes he knows what works. This is a convenience store with a fuel facility. People are in and out very quickly.

Terry Martin stated that staff recommendation is disapproval based on the fact that this suburban type design is not appropriate in this particular location of the Village and because it is not adhering to the county's adopted Randall Arendt concepts. It needs more work. The question about its being grandfathered is where does the village draw the line when allowing existing businesses to make significant changes?

Robert Keis stated just to clarify, this business is already existing?

Becky Dash replied yes and produced photos of the existing business.

Paul Mager stated that he believes that the proposed changes would actually be improving the current situation.

Charles Couture stated that it would not be in the best interest for the Village to ask an existing business to move its base of operation. They will be improving the traffic flow and public safety in that particular area.

Robert Keis stated that since this is a unique, pre-existing business, and since they have made changes that the Village has suggested which do attempt to incorporate Randall Arendt concepts for landscaping, he feels that the Board should approve the proposed project

Robert Keis moved with a second from Charles Couture to approve the Village of Franklinville's referred Site Plan Review for new construction, Variance for required parking spaces and Special Use Permit for gas station in B-1 Commercial District at 3 S. Main Street. Carried.

Village of Franklinville - Site Plan Review/Area Variance/Special Use Permit - 95 S. Main Street - Dollar General

Paul Bishop reported that the Village of Franklinville Zoning Board of Appeals has referred a Site Plan Review for new construction, set-back/area variance for required parking spaces and Special Use Permit for Retail in R-3 Residential Commercial District at 95 S. Main Street. The applicant wants to establish a commercial

business (Dollar General Store) on a 1.2 acre site zoned Residential / Commercial.

The applicant has made many changes to the Site Plan based on the Village of Franklinville ZBA comments at their February 2 meeting. These comments were all in keeping with the adopted Randall Arendt concepts, such as moving the building forward to eliminate parking in the front of building and moving it to the side, allowing for green space, etc.

The Zoning Map Amendment last month was to change this lot from I-1 to R-3. A Special Use Permit is required for a Retail Establishment in an R-3 Residential / Commercial Zone. An Area Variance is required for parking spaces. The Village's Zoning Ordinance requires one space per 100 square feet of retail space - this 9000 square foot building would require 90 spaces - 37 are provided by the proposed plan. A second Area Variance is required for setback from side lot lines: 15' is required by ordinance - this will be 8' on building side of lot and 10' on parking lot side of lot. The Lot to the north is a rental property. The owner has been contacted several times with no response. A Full EAF for SEQR has been completed and a Negative Declaration prepared. There are no ag district parcels within 500', therefore no Ag Data Statement is required. There are no floodplains or wetlands affected. A Public hearing will be held in the near future. This use complies with the future planned land use for this area per the Town and Village Comprehensive Plan.

Mr. Bishop complimented the Village of Franklinville for its diligence in applying the Randall Arendt concepts, more so than any other municipality in Cattaraugus County.

Becky Dash stated that the developers have been agreeable to many of the comments that the ZBA has made and they have agreed to put false windows with shutters on the side of the building so that you don't see this continuous metal building wall.

Paul Bishop stated that staff recommendation is approval of the Special Use Permit and Area Variances for parcel 40.078-1-30 with the advisory that the village require the applicant to revise the layout plan notes on parking spaces as follows: Note 3. on LAYOUT PLAN c: provided parking is 35 standard parking spaces plus 2 handicapped = 37 spaces total, and d: required parking for Village of Franklinville is one space per 100 square feet retail space - 9000 sf building proposed, 90 spaces required by zoning, 37 provided by proposed plan - variance required.

Paul Mager moved with a second from Florence Fuller to approve the Village of Franklinville's referred Site Plan Review for new construction, set-back/area variance for required parking spaces and Special Use Permit for Retail in R-3 Residential Commercial District at 95 S. Main Street (parcel 40.078-1-30) with an advisory that the village require the applicant to revise the layout plan notes on parking spaces as follows: Note 3. on LAYOUT PLAN c: provided parking is 35 standard parking spaces plus 2 handicapped = 37 spaces total, and d: required parking for Village of Franklinville is one space per 100 square feet retail space - 9000 sf building proposed, 90 spaces required by zoning, 37 provided by proposed plan - variance required. Carried.

Town of Yorkshire - Use Variance - Light Manufacturing - 11623 NYS Rt. 16

David Paoletta reported that the Town of Yorkshire Zoning Board of Appeals has referred a Use Variance to allow a light manufacturing facility in a Commercial Zoning District where such use is not permitted at 11623 NYS Rt. 16, Delevan.

The facility is currently used by North Power Systems to manufacture alternators and has been in operation for nine (9) months. The applicant (building owner) was granted a one-year temporary use variance by the Town of Yorkshire Zoning Board of Appeals on April 14, 2004, and the manufacturing operation has complied with all conditions of the variance. In order to approve a use variance, a determination must be made that zoning restrictions have caused an unnecessary hardship on the applicant based on four (4) criteria set forth in NYS Law as follows:

The applicant cannot realize a reasonable return, provided that lack of return is substantial as demonstrated by competent financial evidence;

That the alleged hardship relating to the property in question is unique, and does not apply to a substantial portion of the district or neighborhood;

That the requested use variance, if granted, will not alter the essential character of the neighborhood; and

That the alleged hardship has not been self-created.

The applicant appears to meet each of these criteria. The building housing the manufacturing operation was constructed prior to the enactment of the Town of Yorkshire Zoning Law (2001), which now limits permitted uses of the property. SEQR is being adequately addressed by the Town of Yorkshire. The Town supports continuation of the manufacturing operation by the granting of the use variance. Staff recommendation is approval.

Charles Couture moved with a second from David Rivet to approve the Town of Yorkshire's referred Use Variance to allow a light manufacturing facility in a Commercial zoning District where such use is not permitted at 11623 NYS Rt. 16, Delevan. Carried.

START TRAIL UPDATE

Rick LeFeber of the Cattaraugus Local Development Corporation (CLDC) updated the Board on the status of the START Trail. It is 12.4 miles located on the abandoned railroad bed between the City of Salamanca, through the Village of Little Valley and ends just outside the Village of Cattaraugus. The Trail has been completed under budget and in less than 5 years (similar projects in other areas have taken from 7-11 years). They are currently working with the Seneca Nation of Indians to extend the Trail through the Nation's territory to Allegany State Park. Once rail activity ceases between Cattaraugus and Gowanda, the Trail will be extended through Skinner Hollow and north to Zoar Valley and Erie County, which will establish a Northern Gateway into Cattaraugus County.

Mr. LeFeber stated that the CLDC unanimously passed a resolution to rename the START Trail the Pat McGee Trail. He would ask that this Board pass a resolution in support of this renaming. June 4th is National Trail Day. The CLDC is planning to hold a grand opening of the Trail on that day and will be asking the County Legislature to proclaim June 4th as Patricia McGee Day.

Ann Padlo moved with a second from David Rivet to support the name change of the START Trail to the Pat McGee Trail. Carried.

ENVIRONMENTAL REVIEW

Town of Ellicottville - Laidlaw Energy - Conversion of Power Plant to Waste Wood Fuel

David Paoletta reported that on March 17th the Town of Ellicottville Planning Board issued a Positive Declaration under SEQR. This means that the project may have a significant impact on the environment and requires the completion of an EIS. The Positive Declaration addresses all of the issues that have been raised to this point. Staff has no comments at this time.

Chairman Sprague stated that one of the concerns he has is the proposed driveway that will be within 100 feet of the Route 219/242 intersection.

OLD BUSINESS

Eight Year Review of the Perrysburg-Dayton-Leon Agricultural District

David Paoletta reported that the eight year review process continues. With assistance from Paul Bishop, a

preliminary map, along with a parcel list of the proposed district has been completed. The next step is to advise the landowners of their options and to send them an Agricultural District Review Worksheet, which Cornell Cooperative Extension will compile into the Agricultural District Profile.

Joan Petzen, Cornell Cooperative Extension, stated that she is in the process of setting up meetings with each Town's Assessor(s) and key landowners to discuss the parcels that should or should not be included in the District.

The next meeting of the Agricultural and Farmland Protection Board will be April 19th.

Agricultural and Farmland Protection Plan Grant Contract

David Paoletta stated that the Department of Agriculture and Markets informed the County that the Contract Period for the Grant had started on November 11, 2004. However, to date, we do not have a fully executed contract in hand. He called the Contract Administrator and was able to secure a grant extension to December 31, 2006. This in effect adds six months to the 18 month grant period.

Mr. Paoletta stated that he is currently drafting a Request for Proposals (RFP) for the solicitation of a consultant to assist in the preparation of the Agricultural and Farmland Protection Plan. The Draft will be presented to the Ag Board on the 19th.

Zoning Referral Exemptions

Paul Bishop stated that the staff reviewed, and made some additions/deletions to the Zoning referral Exemptions documents that will exempt certain zoning actions from referral to the County Planning Board. The revised version has been sent to Harry Willis, Attorney in the NYS Department of State for his review. Mr. Bishop thanked Kameron Brooks for preparing the initial documents.

Equestrian Guidebook - Volume 8

Terry Martin reported that we have finished a four year project to recognize horses as a valuable part of the local economy in Cattaraugus County. Volume 8 in the County's guidebook series is now completed. It is entitled "Growing the Equestrian Economy in Cattaraugus County, New York". It presents a comprehensive inventory of equestrian assets countywide, and presents strategies for improving facilities, events and services. It is designed for bankers, investors, and developers. Consultants Rick Swist and Jo-Anne Young collaborated with the Department in preparing this guidebook. It will be used in the County's economic development initiative.

Reports & Other Business

Chairman's Report

Annual Planning Board Meeting - The staff is currently in the process of planning the annual meeting. At the present time, the thought is not to have a dinner meeting but to sponsor a training / workshop type meeting towards the end of May early June.

Member's Forum

Florence Fuller stated she believes that the Irving Mills Bridge in the Town of Carrollton is scheduled to be built this year.

David Rivet replied yes that is correct. In fact a pre-construction meeting was held recently in Buffalo with all parties involved.

Ann Padlo stated that she would be interested in be a volunteer at the Visitors Center in the new I-86 Rest Stop.

Charles Couture stated that the Ashford Office Center building will be 2/3 occupied by the West Valley Demonstration Project personnel in the near future.

Director's Report

Margaret Puszcz stated that Thomas Livak was not able to attend this evening. However, he wanted her to distribute to the Board the Department's 2004 Annual Report, the newest brochure produced by the Department, "Fishing Paradise" and a copy of National Geographic's Geotourism Map that was created in conjunction with the National Geographic Society's Traveler Magazine and the Appalachian Regional Commission (ARC). Two of Cattaraugus County's businesses are included on this map: Seneca Iroquois National Museum in Salamanca and Sprague's Maple Farms in Portville.

Robert Keis indicated that there are nine businesses on the map from the Southern Tier West Region. Six are historical sites, three points of interest and one natural or scenic area.

STW Report

Robert Keis reminded the Board that STW's Local Government Conference will be on May 12th at Houghton College. He was pleased that Terry Martin will be one of the many speakers at this conference. He reported that the Appalachian Regional Commission will receive the same level of federal funding in 2006 as it has received for the last two years. He also reported that the STW website, DiscoverSouthwestNY.com, received 5.1 million hits with the number of user sessions totaling 220,000 and the average time on the site equaling 11 minutes.

Correspondence

The following correspondence was received:

- ***Gerard Fitzpatrick, Chairman Cattaraugus County Legislature*** - appointment of Daniel McCarthy, Franklinville as a member of the Cattaraugus County Planning Board.
- ***Village of Ellicottville*** - Area Variance for front and side yard setback for property located in Greer Hill Subdivision at 27 Greer Hill Road (Sublot No. 28) - approved.
- ***Village of Ellicottville*** - Negative Declaration - Proposed Hotel, Corner of Mill Street and Washington Street, adjacent to the confluence of Great Valley Creek and Elk Creek.
- ***City of Salamanca*** - Site Plan - 255 Central Avenue - auto body garage - approved.
- ***City of Salamanca*** - Amendment to Zoning Law - Changes to Zoning Use Districts (R1) under Special Permitted Uses & Signage under Temporary permits - approved.
- ***City of Salamanca*** - Amendment of Zoning Law - Changing zoning classification of Rochester Street Lot from I1 to R2 - approved.

ADJOURNMENT IN MEMORY OF PATRICIA K. MCGEE

Ann Padlo moved with a second from Charles Couture that:

- The April 7, 2005 meeting of the Cattaraugus County Planning Board be adjourned in memory of Patricia K. McGee who passed away on April 2, 2005 at the age of 70;
- A letter of condolence be sent to her family from the Cattaraugus County Planning Board members and staff;
- The Cattaraugus County Planning Board expresses its sorrow at her passing,



and gives tribute to her legacy, as follows:

- Mrs. McGee was a New York State Senator from the 57th district from 1998 to 2005. She served as chair of the Senate's Agriculture Committee and the NYS Legislative Commission on Rural Resources, and the Senate's Nursing Shortages Subcommittee. She was a member of the Children's Health and Safety Task Force. She served on other Senate committees including Aging, Corporations, Authorities, Commissions, Environmental Conservation, Higher Education, Transportation and Social Services,
- Mrs. McGee was a New York State Assemblywoman from the 149th District from 1987 to 1998. She was the first woman legislator to represent the Southern Tier in Albany. She was appointed to serve as the vice chairman of the Minority Conference Committee, and was the Ranking Minority Member on the Assembly Higher Education Committee, and the Assembly Intern Committee during the 1991 legislative session. In 1992 she was named the Ranking Minority Member on the Assembly Committee on Transportation - a position she held for more than six years. As an Assemblywoman she served on other Assembly committees including Rules, Higher Education and Environmental Conservation. She served as the vice-chairwoman of the New York State Legislative Women's Caucus and several minority task forces including Economic Development and the Future of the State University of New York,
- Mrs. McGee was a Cattaraugus County Legislator from 1978 to 1987, serving as Cattaraugus County's first woman majority leader for the last two of her 10 years,
- Mrs. McGee previously worked for 11 years at the Jamestown Community College as an administrative assistant to the Dean, and 8 years at the Franklinville Central School District as secretary to the Business Manager,
- Throughout her political career, Mrs. McGee's membership remained active in community organizations including the Route 219 Liaison Committee, the Farm Bureau, the Cattaraugus County Tourist Bureau, the VFW Auxiliary of Franklinville, associate member of the New York State Grange, the American Legion Auxiliary, the Ischua Valley Exchange Club, the Chautauqua County Women's Political Caucus and the Jamestown Disabled American Veterans Auxiliary,
- Mrs. McGee was a wonderful friend and neighbor to the people of Franklinville,
- Mrs. McGee was an animal lover and enjoyed photography and antiques,
- Mrs. McGee will always be remembered for her incredible energy as the "ultimate public servant" and for her ability to move forward and do the right thing.
- Governor Pataki recalls Mrs. McGee: "She will be remembered for her leadership on women's issues, her strong support of higher education and transportation, and her tireless advocacy on behalf of New York's farmers and rural communities".
- Mrs. McGee is survived by her husband, Maurice "Mike" McGee of Franklinville; a special niece and nephew, Vicki and Roger Balcom of Franklinville; a brother, Dana "Skip" Gould of Melbourne, Florida; and several nieces, nephews and cousins.



Mrs. McGee was a great community leader, and her presence will be missed and sadly felt by her family, friends and colleagues in Cattaraugus County and New York State.

Motion carried unanimously.

APPROVED AS CORRECTED APRIL 28, 2005

Corrections: Page 4, second line, change "stud" to "study". Page 6, third paragraph, last line, change "lien" to "line". Page 9 first resolution, change "Charles Couture" to "Ann Padlo".

Advance Planning Contact (716) 938-9111 ext. 2312

