

Mayville, NY

Regular Meeting

March 13, 2024

**Present:** Supervisor Donald Emhardt, Councilmen Thomas Carlson, Kenneth Burnett, and Al Akin. Highway Superintendent, Terry Sanden, Town Clerk, Rebecca Luba, Deputy Clerk, Jessica Emhardt, Code Enforcement Officer, Frank Watson, and Town Attorney, Joel Seachrist

**Absent:** Councilman Scott Cummings

**Others Present:**, Gregory Bacon(Post-Journal), Pierre Chagnon & Marty Proctor(County Legislators), Rick Syper(Mayor), Matt Zarbo, Karen Engstrom, Kristin & Greg Tanski, Dave Kron, Sharon Smead, Kristen Ernewein, Mark Smith, Barb & Paul Rankin, Alan Bozer, Sue Herron, Dawn Chow, Tadd Newell, Jeff Olson, Scott Bradish, Tim Hull, Bob Matson, Rob Hetrick and Nathan Rohlen

Supervisor Donald Emhardt opened the regular meeting at 7:00 P.M. with the Pledge of Allegiance.

**Motion** made by Councilman, Al Akin to approve the February 14, 2024 minutes as presented.

**Second:** Councilman Thomas Carlson

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Thomas Carlson- Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Scott Cummings – Absent

**Department Reports:**

Town Clerk’s monthly report for February was submitted and filed. Collections totaled \$5,218.14 and disbursed as follows: Supervisor-\$5,011.58 including the following funds:

A Fund, \$2,281.39, B Fund: \$100.00, SS1 Fund: \$2,444.21, SW3 Fund: \$185.98.

NYS DEC license sales: \$127.56, NYS Animal Population Control program: \$79.00.

Audit of Clerk and Tax Collector financials were performed and approved by committee on 2/20/24. The office is continuing to work with Chalifoux law on easements for Sewer Dist. 1 North Extension. Finalized spring cleanup information with Highway Superintendent and ordered postcards. Notice to residents will be sent directly from the printer next week. Received 1,000 solar eclipse glasses from the County for residents to pick-up for free. Currently updating Town’s website with separate pages for the various capital improvement projects within the Town.

Our offices will be closed on Friday, March 29<sup>th</sup> in observance of Good Friday.

Tax Collector: Total collections to date: \$11,564,234.45 with \$1,275,026.12 outstanding.

The 1% penalty period concluded 3/29/24. Tax collection will continue through April 1<sup>st</sup> with 2% penalty added. Second notices for all unpaid taxes mailed February 26, 2024.

Payment on warrant was made to Chautauqua County Tax & Finance March 4<sup>th</sup>. Offices will be closed March 29, 2024 in observance of Good Friday. Solar Eclipse glasses have been provided by Chautauqua Emergency serves and available for residents to pick up in the Clerk’s office. Due to the County being in the direct path of the Total Solar eclipse, high volumes of traffic and tourism is expected. The County is advising all non-essential businesses and offices to consider closing early, April 8<sup>th</sup>, for safety and to help with traffic control.

Assessor’s report was submitted and on file in the Clerk’s office. The office is continuing work on the valuation for new construction and demolition projects. All properties will be valued for the

May release of the new assessments. Legal notice published March 1, 2024 for the assessment inventory as required by NY State Real Property Tax Law.  
Grievance Day is scheduled for May 29, 2024, by appointment.

Code/Zoning report submitted and filed. 10 Permits issued for the Town with a project total of \$354,741.00 and 5 for the Village with project total of \$117,500.00. 22 Permits were closed for the Town totaling \$406,950.00 in project value and 3 for the Village at \$39,000.000 project value. Code Officer, Frank Watson reported working with the developer on the proposed Tim Hortons and stated that the burn ban issued by NYS DEC goes into effect March 16<sup>th</sup> through May 14<sup>th</sup>.

Highway report submitted and filed. Plowed and sanded 4 days in February. Finished hauling crushed 1A stone for road oiling. New doors have been installed by Plyler. Cut trees and worked in the shop. A request to order a new 10-wheeler Cab and Chassis for 2026 was made to the Board due to the delivery being 2 years out.

**Motion** made by Councilman, Thomas Carlson approving the request permitting the Highway Superintendent to obtain bids for a new 10-wheeler and chassis.

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Thomas Carlson- Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Scott Cummings – Absent

**Committee Reports: Nothing reported.**

**Public Comment(Non-Agenda Items):**

Karen Engstrom presented the Board with an update on solar. The 2025 State budget includes legislation for the RAPID Act on page 129 Part O of the TED Bill. This act seeks to consolidate and expedite the environmental review and permitting of major renewable energy facilities and electric utility transmission facilities. A summary was copied and distributed to the Board. A copy of the bill will be forwarded to the Clerk's email address and is requested to be forwarded to the Board. Comments on this should be submitted to Senator Borello's office.

**Agenda Items:**

**Resolution- Town Court Audit**

**WHEREAS**, Section 2019-a of the Uniform Justice Court Act requires that Town and Village justices annually provide their court records and dockets to their respective town and village auditing boards, and that such records then be examined or audited and entered into the minutes of the board's proceedings.

**WHEREAS**, an audit committee consisting of two board members conducted an audit of the 2022 court records on February 20, 2024.

**WHEREAS**, the records have been duly examined, and all fines collected in 2023 have been paid to the proper officials of the Town as required by law.

**WHEREAS**, a satisfactory report was submitted to the Town Board and filed with the Town Clerk.

**NOW, THEREFORE, BE IT RESOLVED**, the Board for the Town of Chautauqua acknowledges the completed audit report as submitted with no issues found.

**Motion** made by Councilman, Al Akin to accept

**Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Town Property**

Dave Kron addressed the Board with a request to purchase 35 feet of Town property. He is looking to build a new Tim Horton's on the former Mayville Diner site adjacent to the Town's property on the corner of Rte. 430 and Academy St. A site plan of the proposed development was presented and reviewed by the Board. After review and discussion, the Board stated they would consider an offer for more than the 35 feet requested. Mr. Kron stated he would take it into consideration and come up with a proposal for the Board's consideration. No action was taken at this time.

### **Resolution- Joint Fire District**

#### **Resolution Supporting Meeting for Joint Fire District**

**WHEREAS**, the fire districts within the Town of Chautauqua met on February 26, 2024 to discuss the feasibility of creating a Joint Fire District; and

**WHEREAS**, the Fire Districts have requested consideration and support from both the Town of Chautauqua and Village of Mayville, pursuant to Town Law §189-A(2)

**NOW, THEREFORE BE IT RESOLVED**, the Town of Chautauqua hereby resolves to support a joint meeting with the Town of Chautauqua, Village of Mayville, and Chautauqua, Dewittville, and Hartfield Fire Districts to discuss the formation of a joint Fire District encompassing the entire

**Motion** made by Councilman, Thomas Carlson **Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Public Hearing- Proposed Water District 5**

Order calling public hearing adopted February 14, 2024 was published in the Jamestown Post-Journal February 29, 2024, and posted on the Clerk's sign board and website. A copy of the order mailed to all residents within proposed district.

Supervisor, Donald Emhardt opened the public hearing at 7:15PM.

The engineer for the Map, Plan and Report, Matt Zarbo, gave a video presentation on the proposed district and answered questions and addressed concerns from the public.

This plan was requested by the Town Board after being petitioned by residents in the area with poor water quality and non-viable wells as verified by the Chautauqua County Health Department. Mr. Zarbo reviewed the summary of proposed charges to all residents within the district based on 259 Equivalent Dwelling Units(EDUs). Infrastructure costs would be paid by all residents within the district with an annual capital debt charge of \$319 - \$512, per parcel, depending on grants received. In addition, residents connected to the system would also pay for operation and maintenance. The annual cost of water would depend on the water source. There are currently two water sources available for the Town to negotiate, the Village of Mayville(VOM) and Chautauqua Utility District(CUD). Based on the average household use, annual costs per user would range from \$1,440 - \$1,633 if contracted with VOM and \$1,134 - \$1,337 if contracted with CUD.

Due to both estimates exceeding the maximum annual amount to be expended for an improvement district, approval from the NYS comptroller will be required. A resolution to submit an application to the Comptroller was prepared by the engineer and presented to the Board.

A resident inquired about additional fees to hook in. Mr. Zarbo stated that residents would be responsible for the costs associated with hooking into the main meter. Costs could range anywhere between \$2 - 3,000 depending on the work to be done. However, this cost could be reduced if neighbors used the same contractor. In addition, there are income-based government programs available to assist with these costs for eligible households.

Another resident inquired about the EDUs and how they were determined. Mr. Zarbo explained that the number was underestimated for the purpose of the report and is still being worked out. This number will most likely increase, lowering the annual costs per user.

Other residents that were present commented on the contamination in existing wells and the current need for the water. In addition, this would add fire protection to area residents with the implementation of fire hydrants.

No further comment or question was presented. Mr. Zarbo invited the audience to submit any additional questions or concerns to the Town that may come up after the meeting.

**Motion** made by Councilman Thomas Carlson to close the public hearing at 7:25PM.

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

**A RESOLUTION MAKING CERTAIN DETERMINATIONS IN RELATION TO AN APPLICATION FOR STATE COMPTROLLER APPROVAL OF A PROPOSED WATER DISTRICT, IN THE TOWN OF CHAUTAUQUA, CHAUTAUQUA COUNTY, NEW YORK, TO BE KNOWN AS THE WATER DISTRICT NO. 5 OF THE TOWN OF CHAUTAUQUA, CHAUTAUQUA COUNTY, NEW YORK.**

WHEREAS, the Town Board of the Town of Chautauqua, Chautauqua County, New York, has duly caused to be prepared a map showing the boundaries of a proposed Water District in said Town, to be known as the Water District No. 5, and a general plan to serve said Water District, and a report of the proposed improvements and method of operation thereof including an estimate of cost; and

WHEREAS, said map, plan and report were prepared by a competent engineer, duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof; and

WHEREAS, the establishment of the Water District No. 5 and the capital project proposed therefor, have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, which as proposed, the Town Board has determined will not have any significant effects on the environment; and

WHEREAS, an Order was duly adopted by said Town Board on February 14, 2024, reciting a description of the boundaries of the Water District No. 5, the improvements proposed, the maximum amount proposed to be expended for said improvements, the proposed methods of financing to be employed, the fact that said map, plan and report, including an estimate of cost, were on file in the Town Clerk's office for public inspection and specifying the 13th day of March, 2024, at 7:15 o'clock P.M., local time, at the Town Hall, in Chautauqua, New York, in said Town, as the time when and the place where said Town Board would meet for the purpose of holding a public hearing to consider the establishment of Water District No. 5 and said map, plan and report (including estimate of cost) filed in relation thereto and to hear all persons interested in the subject thereof concerning the same; and

WHEREAS, notice of the aforesaid public hearing was duly published and posted in the manner and within the time prescribed by Section 209-d of the Town Law, and proof of publication and posting have been duly presented to said Town Board; and

WHEREAS, said public hearing was duly held at the time and place in said order as aforesaid, at which all persons desiring to be heard were duly heard; and

WHEREAS, said Town Board duly considered said map, plan and report (including estimate of cost) and the evidence given at said public hearing; and

WHEREAS, it is hereby determined that all expenses of the Water District No. 5, including all Districts heretofore or hereafter established, shall be a charge against the entire area of said Water District No. 5, as hereinbefore described; and

WHEREAS, an application for approval of formation of said Water District No. 5 has been drafted for submission to the office of the State Comptroller and the Town Board has reviewed said application; NOW, THEREFORE, BE IT RESOLVED, by the Town Board of the Town of Chautauqua, Chautauqua County, New York, as follows:

Section 1. Upon the evidence given at the aforesaid public hearing and review of the application to the Office of State Comptroller for permission to establish the Water District No. 5, it is hereby found and determined that as follows:

- a) the application to the Office of the State Comptroller attached hereto as Exhibit A and hereby made a part hereof was prepared at the direction of this Town Board and this Town Board believes its contents to be accurate.
- b) The establishment of the proposed Water District No. 5 is in the public interest and will not constitute an undue burden on the property which will bear the cost thereof;
- c) All the property and property owners within the proposed Water District No. 5, as described in the preambles hereof, are benefited thereby; and
- d) All the property and property owners benefited are included within the limits of the proposed Water District No. 5.

Section 2. The Town Clerk shall, as soon as practicable but in any event within ten (10) days after the date hereof, file certified copies of this resolution in duplicate in the office of the State Department

of Audit and Control at Albany, New York, together with the application by this Board in duplicate for permission to establish the Water District No. 5 as provided for by subdivision 3 of Section 209-f of the Town Law of the State of New York; and that such application shall be executed by and on behalf of the Town Board by the Supervisor of the Town.

Section 3. This resolution shall take effect immediately.

**Motion** made by Councilman Kenneth Burnett to adopt the resolution as presented.

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Landfill Credits– Transfer of Credits for Demolition of American Quarter**

**WHEREAS**, for the health, safety and welfare of residents in the Village of Mayville, a dilapidated structure, formerly known as The American Quarter, located at 5 Blanchard St., Mayville, NY was demolished,

**WHEREAS**, the Village of Mayville is assisting the owner with the removal of the debris through the use of landfill credits pursuant to the Shared Services Derelict Structures Addendum with the County of Chautauqua; and

**WHEREAS**, an additional 15 credits are still needed to complete the cleanup; and

**WHEREAS**, the Town of Chautauqua currently has 1,440 landfill credits and does not anticipate utilizing all of credits in the foreseeable future.

**NOW, THEREFORE**, be it Resolved by the Town of Chautauqua Board, to transfer a total of 15 landfill credits to the Chautauqua County Landfill aiding in clearing debris from the demolition of the American Quarter.

**Motion** made by Councilman Al Akin to accept **Second:** Councilman Thomas Carlson

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Local Law– Amendments to Solar Law**

A draft of the proposed local law amending the Town’s current solar law was prepared by Wendell Engineering and presented to the Board.

**Motion** made by Councilman Kenneth Burnett to set the public hearing for Local Law 1 of 2024 for April 10, 2024 at 7:15PM

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Local Law– Moratorium Extension for Battery Energy Storage Systems**

The current moratorium for Battery Energy Storage Facilities will be expiring May 31, 2024. No further information has been received from the State regarding the revised safety plans for these facilities. The Board felt it would be in the best interest of the Town and its residents to extend the moratorium which would require a local law

**Motion** made by Councilman Thomas Carlson to set the public hearing for Local Law 2 of 2024 for April 10, 2024 at 7:30PM

**Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye

Councilman Al Akin – Aye

Councilman Kenneth Burnett – Aye

Councilman Thomas Carlson- Aye

Councilman Scott Cummings – Absent

**Carried**

### **Water District 2 – Revised 202B FOR Supply and Extension**

**A RESOLUTION CALLING A PUBLIC HEARING OF THE TOWN BOARD OF THE TOWN OF CHAUTAUQUA, CHAUTAUQUA COUNTY, NEW YORK, PURSUANT TO SECTION 202-b OF THE TOWN LAW, TO CONSIDER AN INCREASE AND IMPROVEMENT OF THE FACILITIES OF THE TOWN OF CHAUTAUQUA WATER DISTRICT NO. 2 IN AND FOR SAID TOWN AT A MAXIMUM ESTIMATED COST OF \$8,190,000.**

**WHEREAS**, the Town Board of the Town of Chautauqua, Chautauqua County, New York, has had under consideration a map and plan as well as an estimated of cost for a proposed increase and improvement of the facilities of Water District No. 2 in said Town (hereinafter, “Water District No. 2” or simply, the “District”), a general plan to drill new wells for and make some improvements to the said District, and a report of the proposed method of financing and operation thereof; and

**WHEREAS**, said map, plan and report, including an estimate of the cost, were prepared by Ramboll, competent engineers duly licensed by the State of New York, and have been filed in the office of the Town Clerk of said Town, where the same are available during regular office hours for examination by any persons interested in the subject matter thereof, including estimate of cost; and

**WHEREAS**, the Town Board previously extended the boundaries of the District by resolution adopted April 11, 2022, which resolution also approved the installation of two (2) groundwater wells in the hamlet of Dewittville, the construction of a support building of approximately 1,000 square feet to house water softening equipment and chlorination equipment, exterior 15,000-gal above ground clearwell tank, standby natural gas driven generator and electrical/instrumentation systems, a flow distribution structure (below grade) and an absorption field for handling of process wastewaters; the construction of a support building of approximately 120 square feet at the Existing Standpipe site to house chlorination equipment and electrical/instrumentation systems, a new altitude valve and vault for connection to existing standpipe inlet/outlet piping; demolition/decommissioning of the existing water treatment plant building and equipment; approximately 14,200 linear feet of 8-inch diameter pipeline; tee connections and valving for future extensions; and fire hydrants, including original furnishings, equipment, machinery, apparatus, valves, hydrants, appurtenances, and incidental improvements and expenses in connection therewith, all as more fully described in the map, plan and report hereinbefore described; and

**WHEREAS**, the description of the boundaries of said District is available for review at the Town Clerk’s office, but generally includes all of the Chautauqua Lake Estates, Point Chautauqua, Dewittville, and all of the land

between Springbrook Road on the north, Chautauqua Lake on the southwest, and the town line on the south and east; and

**WHEREAS**, the maximum estimated cost of said improvements is \$8,190,000; and

**WHEREAS**, the proposed method to be employed for financing such improvements is the issuance of serial bonds for the balance, and

**WHEREAS**, the Town intends to apply to other sources of low interest loan and grant funding that would reduce the local costs and the cost estimates set out below, including from the Water Infrastructure Improvements Grants and Drinking Water State Revolving Fund administered by the New York State Environmental Facilities Corporation; and

**WHEREAS**, all users within the District will pay for the capital costs of the new water supply and transmission lines running therefrom, for the operation and maintenance costs of the District, and for the capital improvements fund, but only users within the extension area will also pay for the capital costs of the southward extension of the waterlines within the extension area; and

**WHEREAS**, the Town received \$4,020,000 grant funding for the project, the estimated cost to the typical property in the first year in which operation, maintenance, debt service and other charges and expenses are to be paid is: (1) to customers within the existing District (174 equivalent dwelling units) \$1,032.22; and (2) to customers within the extension area who are benefitted but not connected (122 half-EDU), \$243.12.

**WHEREAS**, as the customer base expands within the extended District to approximately 350 total EDU, the estimated annual cost to the typical property is expected to be \$681.87; and

**WHEREAS**, at full buildout, with a total of 519 EDU across the entire District, the estimated annual cost to the typical property is estimated to be \$489.92; and

**WHEREAS**, a detailed explanation of the manner by which were computed said estimated costs of fees and first-year costs to the typical property has been filed in the office of the Town Clerk at 2 Academy Street in Mayville, New York where the same are available during regular office hours for examination by any person interested in the subject manner thereof; and

**WHEREAS**, said capital project for said District and the extension thereof have been determined to be an Unlisted Action pursuant to the regulations of the New York State Department of Environmental Conservation promulgated pursuant to the State Environmental Quality Review Act, the implementation of which as proposed, the Town Board has determined will not result in any significant environmental effects and a Short Environmental Assessment Form is available on file in the office of the Town Clerk where it may be inspected during normal office hours; and

**WHEREAS**, it is now desired to call a public hearing on said proposed increase and improvement pursuant to Section 202-b of the Town Law; NOW, THEREFORE, BE IT

**ORDERED**, by the Town Board of the Town of Chautauqua, Chautauqua County, New York, as follows:

Section 1. A meeting of the Town Board of the Town of Chautauqua, Chautauqua County, New York, shall be held at the Chautauqua Community Building, 2 Academy Street, Mayville, New York, in said Town, on the 10th day of April, 2024, at 7:35 P.M., Prevailing Time, for the purpose of holding a public hearing on the proposed increase and improvement of the facilities of Water District No. 2 in said Town, referred to in the preambles hereof, at which time and place said Town Board will hear all persons interested in the subject thereof concerning the same.

Section 2. It is hereby determined that all expenses of the Water District No. 2, including all Districts heretofore or hereafter established, shall be a charge against the entire area of said Water District No. 2, as extended, including said District hereinbefore described, except that the area currently served by water within said District shall be treated as a separate benefit district within the large district.

Section 3. The Town Clerk is hereby authorized and directed to cause a copy of this order to be published once in the *Jamestown Post-Journal*, the official newspaper of said Town, the first publication thereof to be not less than ten nor more than twenty days before the day set herein for the hearing as aforesaid, and said Town Clerk shall also cause a copy thereof to be posted on the sign-board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law not less than ten nor more than twenty days before the day set for the hearing as aforesaid.

**Motion** made by Councilman Al Akin to adopt the resolution as presented setting the public hearing for April 10, 2024 at 7:35PM

**Second:** Councilman Thomas Carlson

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Mobitrac – CLWMA Grant Acceptance for Operations**

Notice was received from the Chautauqua Lake Watershed Management Alliance (CLWMA) that the Town of Chautauqua was awarded \$70,947.08 in grant funding to be used towards the 2024 Mobitrac Lake Clean-up operations. This includes \$17,447.08 left over from the 2023 grant awarded to the Town of Chautauqua. Funding was provided to the Alliance as consolidated grants from the Lenna Foundation, Ralph C. Sheldon Foundation, and the Chautauqua Region Community Foundation.

**Motion** made by Councilman Al Akin to accept the grant from CLWMA for Mobitrac operations.

**Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

### **Mobitrac – Application for Occupancy Tax Grant Program**

#### **Authorization to Apply for Funding from the Chautauqua County 2025 Occupancy Tax Grant Program for Lakes and Waterways for the 2025 Chautauqua Lake Mobitrac Nearshore Cleanup Project**

**WHEREAS**, Chautauqua Lake is an invaluable asset to Chautauqua County and the municipalities that border it including the Town of Chautauqua, but has been designated as an impaired water body and its health and usability are threatened; and

**WHEREAS**, the Town, with assistance from the Chautauqua Lake and Watershed Management Alliance, is working to secure funding for the 2025 Chautauqua Lake Mobitrac Nearshore Cleanup Project, which will have a positive impact on the environmental health of Chautauqua Lake along with its tourism and recreation industry; and

**WHEREAS**, the Chautauqua County 2025 Occupancy Tax Grant Program for Lakes and Waterways offers a funding opportunity for the Project with no local match requirement and a maximum grant amount of \$50,000.00, and as a Member of the Alliance, the Town is entitled to lake and watershed-related grant application preparation services at no additional cost to the Town; therefore be it

**RESOLVED**, that the Town of Chautauqua Board authorizes a grant submission to the Chautauqua County 2025 Occupancy Tax Grant Program for Lakes and Waterways for the 2025 Chautauqua Lake Mobitrac Nearshore Cleanup Project, and if the grant application is successful, that the Supervisor is authorized to execute the grant contract, submit project documentation, and act in all matters related to Project and County funding assistance.

**Motion** made by Councilman, Thomas Carlson to adopt the resolution as presented.

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

**Non-Agenda Items:**

Bookkeeper is finalizing the Annual Financial Report(AFR) to be filed with the state.

**Motion** made by Councilman Kenneth Burnett approve the vouchers as presented to the board for payment. Abstract #003, Voucher # 096-161

**Abstract # 003**

**Deposit of 02/13/2024 – 3/11/2024**

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<b>Code</b>	<b>Fund</b>	<b>Amount</b>
A	GENERAL FUND – TOWNWIDE	84,709.26
B	GENERAL FUND- OUTSIDE VILLAGE	2,542.41
DA	HIGHWAY FUND – TOWNWIDE	21,015.73
DB	HIGHWAY FUND – OUTSIDE VILLAGE	20,980.61
H2	WATER DISTRICT 5 – DISTRICT CREATION	285.45
H4	WATER DISTRICT 2- SUPPLY & EXTENSION	2,298.32
H5	SEWER DISTRICT 1- NORTH EXTENSION	36,870.50
SL1	PT CHAUTAUQUA LIGHT DISTRICT	337.31
SL2	DEWITTVILLE LIGHTING DISTRICT	344.44
SL4	BAYBERRY LANDING LIGHTING DIST	21.95
SS1	CHAUTAUQUA HEIGHTS SEWER DISTRICT	1,250.32
SW1	CHAUTAUQUA HEIGHTS WATER DISTRICT	7,226.22
SW3	WATER DISTRICT 3- CHAUTAUQUA SHORES	2,626.44
<b>Total:</b>		<b>192,157.58</b>

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**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye

Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

**Motion** made by Councilman Thomas Carlson to adjourn the regular meeting at 8:20 P.M.

**Second:** Councilman Al Akin

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Al Akin – Aye  
Councilman Kenneth Burnett – Aye  
Councilman Thomas Carlson- Aye  
Councilman Scott Cummings – Absent

**Carried**

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Rebecca Luba, RMC  
Town Clerk  
Town of Chautauqua