

**Present:** Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Al Akin, Thomas Carlson and Scott Cummings. Highway Superintendent, Dan Thorsell, Code/Zoning Clerk, Elizabeth Steinbach, Attorney, Joel Seachrist and Town Clerk, Rebecca Luba

**Others Present:** Mike Manning(Ramboll), Marty Proctor(Cnty Legislator), Greg Bacon(Post-Journal), Mark Perry, Richard Syper, Sharon Smead, Richard Fanelly, Chris Buryta, Robert Martin, Kent Mathewson, Jeff and Sandy Wagner.

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

**Motion** made by Councilman, Scott Cummings to approve the minutes of May 9, 2022.

**Second:** Councilman Thomas Carlson

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

**Carried**

**Public Comment:** Sandy Wagner thanked the Board for their continued good work.

Kent Mathewson requested the Board to consider looking into the federal funding that is being offered through the Middle Mile Program expanding broadband to rural areas. He stated it would be a great economic benefit to our community and offered his assistance if needed. Supervisor Emhardt stated he would like to see the County take the lead on this as to cover the entire areas.

**Department Reports:**

Town Clerk report was submitted and filed. Fees collected for May totaled \$16,638.25 and disbursed as follows: Supervisor-A Fund: \$16,005.80 B Fund: \$100.00, SS1 Fund: \$5,812.87, SW1 Fund 4,230.43 NYS DEC license sales: \$377.95, NYS Animal Population Control program: \$97.00, Dept. of Health 157.50. 7 Marriage licenses were issued, and 30 record requests completed.

June dog license renewals were mailed along with 2<sup>nd</sup> reminder notices for all expired licenses.

Jessica is currently attending the Tax Collectors and Receivers training conference in Ithaca, NY

Town offices will be closed Monday, July 4<sup>th</sup> in observance of Independence Day.

Code/Zoning Office reported issuing 47 building permits, 34 Town and 13 Village, with total project value of \$865,667.00 and 15 Certificates of Completion were issued with project values of \$835,461.00. There are 3 cases going before the zoning board this month.

Highway report submitted and on file. Working with North Harmony to blacktop Potter Rd. from Webber to County Rd. Shim patching for stone and oiling and mowing roadsides. Helped Village with their spring clean-up. Sold tanks through Auction International with gas tank selling for \$1,775.00 and diesel tank selling for \$5,100.00.

Assessor's report was submitted and filed with the Clerk's office. Grievance Day for the 2022 assessment roll was held on Wednesday, May 25, 2022. Hearings were scheduled by appointment and took place in-person this year. All other property owners presenting a grievance form to the Assessor's office on or before May 25<sup>th</sup> that did not have an appointment were reviewed as mail-in.

Supervisor Emhardt met with residents looking to petition the Town for public water. This would end up being an extension of Water Dist. 4. Residents were advised of the procedure to establish a new district and were given petitions to obtain the required signatures to start the process.

## **Committee Reports:**

### **Water and Sewer Projects**

Mike Manning submitted a project update on the following projects:

Groundwater Supply for Water District No. 2- Atlantic Testing Laboratories submitted geotechnical report. Design documents are being prepared for submission to regulatory agencies. Well drilling activities started 6/06/22. Observation wells 2 and 3 have been completed. Well driller estimates 100gal/min. on one and 20gal/min on the other. Supply well screen ordered for TW-1 and order for TW-2 is pending particle analysis. Percolation tests will be completed June/July for waste bed design. Finalizing access agreement with Tarpon Towers for site access for drillers. Land acquisition for wells will be finalized by 9/30/22. Project has been submitted for DWSRF funding Resolution extending district was adopted by the Board on 4/11/22. Will need a bond resolution by the end of July to apply for the next round of WIIA grants.

Administrative Order on Consent- Ramboll will prepare next quarterly report due July 31,2022.

Sewer District 1 Extension 1 North- Project is moving forward. Subcontracts have been executed for the required surveys and geotechnical reports. First site visits will be June 20<sup>th</sup> and 21<sup>st</sup>. Information will be forwarded to the Town Clerk to add to the Town's website.

## **Agenda:**

### **Water District 3 and 4- CUD Water Agreement**

A First Addendum to the Water Supply Agreement with Chautauqua Utility District to supply water to the Water Districts 3 and 4 was reviewed by the Board.

**Motion** made by Councilman, Scott Cummings authorizing the Supervisor to execute the agreement dated May 10, 2022, as presented.

**Second:** Councilman Al Akin

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

**Carried**

### **Big Inlet Creek- Request for Clean-up**

Pam Smith requested to be placed on the agenda to further discuss clean-up but was not present.

Supervisor Emhardt stated that the Mobitracs cleared out debris on Big Inlet opening the passage to the lake. No further action is required at this time.

### **Local Law 3 of 2022- Presentation to Board**

A Local law was presented to the Board regulating mobile food vendors in the Town of Chautauqua. The Board discussed revising the hours of operation and making the license reciprocal of any Village issued license. Councilman Carlson stated the Village is currently working on the same law and suggested waiting to see if they made any changes to theirs prior to the Town adopting the law.

Supervisor Emhardt stated the Town and Village attorneys have been working on this together so that both laws will reflect one another and will forward any changes after their meeting tomorrow.

**Motion** made by Councilman Scott Cummings to set a public hearing for Local Law 3 of 2022 at the next regular board meeting on 7/11/22 at 7:15pm

**Second:** Councilman Kenneth Burnett

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

**Carried**

### **Lease Renewal- Stewart Title and Pt. Chautauqua Historical Society**

The following lease renewals were presented to the Board:

- 1) Stewart Title renewing current lease for office space at the same rate of \$500/month for 3-years
- 2) Pt Chautauqua Historical Society renewing current lease for storage at \$600/year for 3-years

**Motion** made by Councilman Al Akin to authorize the Town Supervisor to execute both lease renewals as presented.

**Second:** Councilman Scott Cummings

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

**Carried**

### **Comprehensive Plan- Proposal for Services**

A two-part proposal was submitted by Barton & Loguidice: Part A included website development and community survey along with grant preparation services. Part B contained a preliminary estimate for joint comprehensive plan preparation services contingent on grant funding.

**Motion** made by Councilman Thomas Carlson authorizing the Town Supervisor to execute Part A of the proposal not to exceed \$9,300.00.

**Second:** Councilman Scott Cummings

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Scott Cummings – Aye  
Councilman Dave Ward – Aye  
Councilman Thomas Carlson – Aye  
Councilman Kenneth Burnett – Aye

**Carried**

### **Point Chautauqua- Updated Map, Plan and Report**

Residents of Point Chautauqua petitioned the Town for water 10 years ago. A map, plan and report was conducted by OBG(Ramboll) showing the cost to expand the infrastructure would exceed the NYS Comptrollers threshold to charge each resident. With the new infrastructure extension of Water District 2 adding a tap for this area, this extension would be more feasible. The current water tower is more than sufficient to supply this area and an updated map, plan and report will be needed. Ramboll will work on a proposal for the Boards review. No action required at this time.

### **Water District 4 Extension- Map, Plan and Report**

Supervisor Emhardt reported on meeting with a group of residents interested in extending Water District 4 to properties between Chautauqua Institution and the Village of Mayville servicing approximately 300 residents. They were given petitions and told if 51% of the residents in this area sign agreeing to it, the Town would put in an RFP for engineering services to obtain the map, plan and report required to start the process.

## **Non-Agenda items/Discussion:**

### **Town Police**

Town is still waiting on the revised agreement from Chautauqua Institution. Supervisor Emhardt stated he would contact John Shedd directly to see where they're at on this.

### **Highway Department Improvements**

Supervisor Emhardt stated prices came in for the new water department building at the highway and were found to be exorbitant at \$450,000.00. This project should be postponed until costs come down.

### **American Rescue Plan Act(ARPA) Funds**

Part of the ARPA funds were used to do the preliminary work for the new water department building. Now that this project is on hold, Supervisor Emhardt would like to use these funds for the new water wells since a grant wasn't awarded grant and the project needs to move forward. No action is required to change projects for these funds.

Robert Martin of Elmwood Lane inquired about the procedure to turn a road over to the Town to be maintained. Supervisor Emhardt stated the road would have to be brought up to the current road specs required by the State. Exact specifications can be obtained from the Town office.

**Motion** made by Councilman Thomas Carlson to approve the Supervisor's Report for May.

**Second:** Councilman Kenneth Burnett

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

**Carried**

**Motion** made by Councilman Scott Cummings to approve the vouchers as presented to the board for payment. Abstract #006, Voucher # 322 -399

**Abstract # 006**

**Deposit of 05/15/2022 – 06/30/2022**

<b>Code</b>	<b>Fund</b>	<b>Amount</b>
<b>A</b>	<b>GENERAL FUND – TOWNWIDE</b>	<b>46,264.40</b>
<b>B</b>	<b>GENERAL FUND – OUTSIDE VILLAGE</b>	<b>7,255.78</b>
<b>DA</b>	<b>HIGHWAY FUND – TOWNWIDE</b>	<b>38,691.88</b>
<b>DB</b>	<b>HIGHWAY FUND – OUTSIDE VILLAGE</b>	<b>56,480.95</b>
<b>H4-</b>	<b>WATER DISTRICT 2</b>	<b>150.00</b>
<b>SL1-</b>	<b>PT CHAUTAUQUA LIGHT DISTRICT</b>	<b>297.56</b>
<b>SL2-</b>	<b>DEWITTVILLE LIGHTING DISTRICT</b>	<b>292.06</b>
<b>SL4-</b>	<b>BAYBERRY LANDING LIGHTING DIST</b>	<b>18.15</b>
<b>SS1-</b>	<b>CHAUT HEIGHTS SEWER DISTRICT</b>	<b>526.73</b>
<b>SW1-</b>	<b>CHAUT HEIGHTS WATER DISTRICT</b>	<b>7,183.10</b>
<b>SW3-</b>	<b>CHAUTAUQUA SHORES WATER DISTRICT</b>	<b>1,051.04</b>
<b>Total:</b>		<b>158,211.65</b>

**Second:** Councilman Al Akin

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

**Carried**

**Motion** made by Councilman Thomas Carlson to adjourn the regular meeting at 7:45 P.M.

**Second:** Councilman Scott Cummings

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

**Carried**

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Rebecca Luba, RMC  
Town Clerk  
Town of Chautauqua