At a regular meeting of the Town Board of the Town of Chautauqua, Chautauqua County, New York, held at the Chautauqua Municipal Building, in Mayville, New York, in said Town, on the 13th day of March, 2024, at 7:00o’clock P.M., Prevailing Time.

The meeting was called to order by Supervisor, Donald Emhardt and upon roll being called, there were

PRESENT:

Supervisor, Donald Emhardt

Councilman, Kenneth Burnett

Councilman, Al Akin

Councilman, Thomas Carlson

ABSENT:

Councilman, Scott Cummings

The following resolution was offered by Councilman, Al Akin who moved its adoption, seconded by Councilman, Thomas Carlson, to-wit:

**RESOLUTION DATED MARCH 13, 2022**

**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

WHEEREAS, 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.

Section 4. This Order shall take effect immediately.

Supervisor, Donald Emhardt VOTING \_\_\_\_\_AYE\_\_\_\_\_\_\_

Councilman, Al Akin VOTING \_\_\_\_\_AYE\_\_\_\_\_\_

Councilman, Thomas Carlson VOTING \_\_\_\_\_AYE\_\_\_\_\_

Councilman, Kenneth Burnett VOTING \_\_\_\_\_AYE\_\_\_\_\_\_

Councilman, Scott Cummings ABSENT

The resolution was thereupon declared duly adopted.

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CERTIFICATION OF ADOPTION OF ORDER CALLING PUBLIC HEARING  
ON THE INCREASE AND IMPROVEMENT OF FACILITIES IN WATER DISTRICT NO. 2 IN THE TOWN OF CHAUTAUQUA

I HEREBY CERTIFY that the Town Board of the Town of Chautauqua, Chautauqua County, New York on the 13th day of March, 2024, duly adopted the Order published herewith calling a Public Hearing.

Dated: Mayville, New York

March 14, 2024

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Town Clerk