

Present: Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Dave Ward, Thomas Carlson and Scott Cummings. Highway Superintendent, Dan Thorsell, Code/Zoning Clerk, Elizabeth Steinbach, Deputy Clerk, Jessica Emhardt and Town Clerk, Rebecca Luba

Others Present: Residents

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 as presented to the board for April 12, 2021 and April 26, 2021

Second: Councilman Dave Ward

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

Carried

Public Comment:

None

Committee/Department Reports:

Town Clerk report was submitted and filed. Fees collected for April totaled \$31,750.40; Dog License sales of \$306.00; Conservation sales of \$415.00; Building/Zoning fees of \$2,021.00 and 4 Marriage licenses were issued.

The Clerk's office assisted the Assessor's office fielding phone calls with questions regard the revaluation and scheduling of informal hearings.

All staff in the Clerk's office attended the annual NYSTCA clerk's training via zoom. The office was open by appointment only during the 3 days of training. Both, Betty and Jessica, will be attending the annual records management training in person while I will attend via Zoom from the office.

Code/Zoning Office reported issuing 36 building permits with project values of \$609,537.00 and 6 Certificates of Completion were issued with project values of \$53,750.00.

Highway report submitted and on file. Installed cross pipes on Elmwood Rd. to the canal, Dinsbier Rd. and Floral Ave. Hauled away 102.75 tons for Spring clean-up. Finished brooming roads. Cleaned and put away plow equipment. Sold the 1974 Rogers low-boy trailer again on Auction International: 1st time was 8/27/20 for \$2,425.00 and bidder never picked up. 2nd time on 4/28/21 for \$4,150.00 for a grand total of \$6,575.00.

Assessor's report was submitted and on file. All informal hearings requested and received in our office for review have been completed. The tentative roll was filed with the County on May 1, 2021 with a legal notice published in the Post Journal and a link posted on the Town's website. Notices have been mailed to all property owners that had any change in their assessed valuation. Grievance Day will be held on May 26, 2021 by appointment at the Town of Chautauqua offices.

Agenda:

Water District 2- Water Source project

An update report was submitted by Ramboll(OBG). Planning and development of subcontracts for field evaluations. Developed response to SHPO relative to proposed construction activities. Communications have been made with the property owner to review the project schedule and obtain approval to complete initial field investigations on property. A Memorandum of Understanding(MOU) is scheduled to be executed this week. A complete topographic survey, hazardous material investigation, wetland delineation and geotechnical program are scheduled between May 17th and June 15th. A quarterly report was submitted to the USEPA including the revised completion schedule to satisfy the Administrative Order on Consent. Due to a delay in parts being shipped, the hydrant flushing program has been delayed.

Board of Assessment Review -Appointment

This past March, the Town Board appointed Marilyn Scarpino to the Board of Assessment Review filling a vacancy left by Jane Grice. The Assessor's office was recently notified that she no longer wishes to serve as a member. Mark Sleggs is a local realtor willing to take her place.

Motion made by Councilman Scott Cummings to appoint Mark Sleggs to the Board of Assessment Review to fill the current vacancy expiring 9/31/2021.

Second: Councilman Thomas Carlson

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

Carried

Set Public Hearing- Solar Project on Hartfield-Stockton Rd.

The Zoning Board of Appeals submitted a recommendation to the Town Board on an application submitted by Omni Navitas Holdings, LLC for the installation of a large-scale solar system on 30 acres located on Hartfield-Stockton Rd. Dewittville, NY, identified on the Chautauqua County Tax Maps as Section 229.00, Block 2, Lot 24.1 and is zoned residential. A public hearing is required before action by the Town Board.

Motion: by Councilman Kenneth Burnett to set a public hearing on Monday, June 14, 2021 at 7:15pm and requests the Clerk to submit the appropriate legal and copy to neighboring properties.

Second: Councilman Dave Ward

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

Carried

Chautauqua Co. Lake Management- MOU update

The Board discussed the Memorandum of Agreement(MOA) for the Chautauqua Lake Consensus Strategy. A Memorandum of Understanding(MOU) dated May 1, 2021 was previously emailed and copied to the Board for review. Supervisor Emhardt stated the MOU, as written, lacks substance and provides no guidance for the protection of our water systems. With the continued use of herbicides, there would be no recourse in the event that our water was poisoned from them.

No action was taken by the Board.

Chautauqua Lake Watershed Management Alliance – GPS Program

An overview of the Alliance’s GPS program for lake clean-up equipment was presented to the Board. The objective of the program is to use GPS and GIS technology to help improve lake data collection methods, provide useful information for service providers and other decision makers, and help improve efficiency and allow for adaptive management actions related to scope of work. In 2020, the program had 7 units (3 Mobitrac and 4 harvesters) deployed.

Chautauqua Lake Watershed Management Alliance- Board of Directors

The member voting form was received from CLWMA for the 2021 Board of Directors election. The Board reviewed the recommended slate and individual candidates.

Motion: by Councilman Thomas Carlson to vote for the recommended slate as presented and authorizes the Supervisor to execute and submit the voting form.

Second: Councilman Kenneth Burnett

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

Carried

Village of Mayville- Strategic Waterfront Activation Framework

Information was copied to the Board titled “Waterfront Activation Framework” which was developed by the Chautauqua County Partnership for Economic Growth in conjunction with the Village of Mayville on taking advantage of opportunities for Lakeside Park and Mayville’s waterfront in general. The framework will be developed to analyze opportunities, facilitate community and stakeholder engagement, and develop a series of individual public and private projects that will lead to the realization of a thriving waterfront community. The aim of the plan is to promote attractions and activities, create better uses in underutilized buildings and sites, improve park amenities, improve access and connectivity to the waterfront and trails, enhancing general aesthetics of the park and create places the community and visitors want to be. A steering committee of local residents and representatives has been created to work on a conceptual plan.

Mayor, Ken Shearer, was present and asked the Board for their support and partnership. Councilman Cummings asked if this would only address the Village Waterfront and if they were seeking financial support. Mayor Shearer stated that the current plan would only include areas within the Village but it is their hope that this study will open up more grant opportunities down the road for both Town and Village. Any financial support would be appreciated.

Motion made by Councilman Scott Cummings to support the project and to notify the Village that financial support will be considered once the concept plan is in place.

Second: Councilman Thomas Carlson

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

Carried

New Legislation- Adult Use Cannabis

Information was presented to the Board regard the recent Marihuana Regulation and Taxation Act(MRT) which legislates three different categories of products; Adult Use, Medical Use and Hemp/Cannabinoid Hemp(CBD). This legislation will have significant changes to the Penal Code, Tax Law and Public Health Law. A 5-member Cannabis Control Board has been established for licensing and regulation which will be assisted by the Office of Cannabis Management(OCM) established within the Division of Alcohol Beverage Control. Towns will be able to adopt a local law opting out of allowing retail dispensaries and/or on-site consumption sites no later than December 31, 2021. If a Town is to opt out, they will be able to opt back in anytime they choose but will not be able to opt out again.

After a brief discussion, no action was taken by the Board at this time.

Non-Agenda items/Discussion:

A call was received from the County Health department inquiring about a plan for public sewer in the Hartfield area along Route 430. Supervisor Emhardt stated that our current extension project from Chautauqua Lake Estates to Galloway Rd is currently on hold due to the State temporarily suspending all grants due to the Covid-19 pandemic. A petition from residents beyond the current extension stating they would be interested in public sewer would help the Board determine whether further extension is feasible.

Motion made by Councilman Scott Cummings to approve the Supervisor's Report for April.

Second: Councilman Thomas Carlson

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

Carried

Motion made by Councilman Scott Cummings approve the vouchers as presented to the board for payment. Abstract #005, Voucher # 221-289

ABSTRACT # 005
DEPOSIT OF 04/01/2021 - 05/31/2021

Code	Fund	Amount
Book : A B DA DB H1 H2 H3 H4 H5 K SF2 SF4 SL1		
A	GENERAL FUND - TOWNWIDE	47,879.37
B	GENERAL FUND - OUTSIDE VILLAGE	2,954.32
DA	HIGHWAY FUND - TOWNWIDE	139,294.46
DB	HIGHWAY FUND - OUTSIDE VILLAGE	31,255.06
H3-	SEWER & WATER EXPANSION	862.50
H4-	WATER DISTRICT 2	2,093.50
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	295.11
SL2-	DEWITTVILLE LIGHTING DISTRICT	291.09
SL4-	BAYBERRY LANDING LIGHTING DIST	18.06
SS1-	CHAUT HEIGHTS SEWER DISTRICT	192.99
SW1-	CHAUT HEIGHTS WATER DISTRICT	5,558.51
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	4,197.27
Total :		234,892.24

Second: Councilman Kenneth Burnett

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

Carried

Motion made by Councilman Thomas Carlson to adjourn the regular meeting at 7:44 P.M.

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

Rebecca Luba, RMC
Town Clerk
Town of Chautauqua