

Mayville, NY

Regular Meeting

August 08, 2016

Present: Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Dave Ward, Thomas Carlson and Scott Cummings, Highway Superintendent, Tim Wendell, Town Clerk, Rebecca Luba, and Town Attorney, Joel Seachrist.

Others Present: Sharon Smead, Village Trustee, Dave Himelein, County Legislature

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 July 11, 2016 and July 25, 2016.

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

Public Comments:

Legislature, David Himelein was present and updated the Board on current County activities. A meeting is scheduled for Thursday, August 11 to discuss the consolidation of the County and Jamestown Police Departments.

Departmental Reports:

Town Clerk's office reported monthly fees remitted for July totaled \$19,989.40; Dog License sales and fees \$433.00; Conservation sales \$574.00, Building/Zoning fees \$15,644.00; 10 Marriage license sales \$400.00; Record certifications: \$321.00; Water billing \$2,503.40. School Tax Collection will begin September 1, 2016.

Building Department reported that 19 building permits were issued in July with a total project value of \$38,158,327.00 and 16 Certificates of Completion were issued with a total project value of \$1,227,070.00.

Highway reported on several new culvert installations. Oiled intersections, mowed roadsides and repaired shoulders. The new 550 dump truck has arrived. Worked with the Water Shed Conservancy to build rain gardens & parking area on Lyons Rd.

Assessor's report was submitted and on file. The State of NY has issued final equalization rates. The Town of Chautauqua is at 100%. Computer have been updated with new marker codes to flag those properties that are now in the STAR credit check program and print a notice on their School Tax bill showing the amount of the reimbursement check to be sent from the state. Files have been sent to the County to process School tax bills.

Monthly report for Town court submitted and on file.

Committees:

Supervisor Emhardt and Councilman Carlson reported on the integrated Sewage Management Plan. We are currently waiting on the map, plan and report for Sewer District 1. The Supervisor was notified by AECOM that this report will not be completed within the time frame needed and it may be in the Town's best interest to procure another engineer to complete this.

**RESOLUTION TO HIRE O'BRIEN & GERE TO PREPARE UPDATED
ENGINEERING REPORT FOR SEWER DISTRICT No. 1**

WHEREAS, an updated report and public hearing must be held before a design contract can be approved for the required upgrades to Sewer District No. 1

WHEREAS, a resolution was passed on June, 13, 2016 to hire AECOM to obtain the updated map, plan and report for Sewer District No. 1 that would include capital costs of constructing and operating a new pumping station and force main as well as the portion of the capital costs attributable to Sewer District No. 1 users for the necessary upgrades and O&M costs for NCLSD WWTP.

WHEREAS, the board was notified by AECOM on August 5, 2016 that they would not be able to complete the map, plan and report in the time frame needed.

WHEREAS, this report is vital in moving forward with the required upgrades set forth by the State and certain deadlines need to be met.

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town of Chautauqua, in regular session duly convened, does hereby direct the Supervisor of said Town to obtain a contract with O'Brien & Gere to prepare the updated engineering report as required, and to authorize the Supervisor to execute said agreement not to exceed \$5,000.00 (Five-thousand dollars).

Motion: made by Councilman Thomas Carlson to adopt resolution.

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

The contract for operation and maintenance of Water District 2 will be expiring December 31, 2016. Current contract needs to be reviewed and modified with the current needs of the district.

Motion: made by Councilman Thomas Carlson to authorize Supervisor Emhardt to send out RFPs for the Board's consideration.

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

Agenda:

Motion: by Councilman Thomas Carlson to open the public hearing at 7:15PM for Local Law 3 of 2016 for a Moratorium in the Chautauqua Business District.

Second: Councilman Scott Cummings

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

Carried

Supervisor Emhardt read aloud the final draft for Local Law 3 of 2016.

Local Law No. 3 of 2016

A LOCAL LAW IMPOSING A NINE-MONTH MORATORIUM ON THE PROCESSING OF APPLICATIONS FOR AND THE ISSUANCE OF ANY APPROVALS OR PERMITS FOR CERTAIN PROJECTS WITHIN THE CHAUTAUQUA BUSINESS DISTRICT

Be it enacted by the Town Board of the Town of Chautauqua as follows:

Section 1. Title

This Local Law shall be referred to as a "Local Law Imposing a Nine Month Moratorium on the Processing of Applications for, and the Issuance of any Approvals or Permits for Certain Projects Within the Chautauqua Business District."

Section 2. Purpose and Intent

Pursuant to the statutory and common law powers vested in the Town of Chautauqua (the "Town") to regulate and control land uses and to protect the health, safety and welfare of its residents, the Town Board of the Town hereby declares a temporary nine (9) month moratorium on the processing or approval of applications for certain building permits, special use permits, planned use development (PUD) permits,

variances, and site plan approvals within the Chautauqua Business District, as defined in Section 143-5(A)(6)(d)(1) of the Town of Chautauqua Zoning Law.

The Town Board desires to conduct a planning and zoning analysis to determine whether the current zoning scheme applicable within the Chautauqua Business District adequately complements and supports the adjacent Chautauqua Institution and busy thoroughfares. Without placing a moratorium on certain projects pending the outcome of the planning and zoning analysis and any appropriate revisions of the Town Code that derive from the results of that analysis, the Town may be faced with additional development without having an opportunity to address all of the issues raised in the planning and zoning analysis. This protection of the public interest and welfare includes the prevention of premature, inconsistent or improper development which could prejudice the integrity and objectives of the analysis presently being undertaken and could result in uses and/or developments which may be inconsistent with and in violation of the intent of said planning.

Thus, the Town Board further finds and determines that it needs a period of time covered by the moratorium imposed herein in order to carefully complete a planning and zoning analysis of the Chautauqua Business District, and to draft regulations, schedule and hold the required public hearing(s), perform the appropriate environmental reviews, comply with applicable provisions of law, adopt the local law(s), and file the same with the Secretary of State of the State of New York.

The Town Board further finds that pursuant to 6 NYCRR 617.5(c)(30) the adoption of a moratorium on land development or construction is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8 and is therefore not subject to review under 6 NYCRR Part 617 or Article 8 of the Environmental Conservation Law.

Section 3. Authority

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

Section 4. Scope of Controls

- A. For a period of nine (9) months from the effective date of this Local Law, no board, officer or agency of the Town shall accept, process, consider or approve applications for building permits, special use permits, planned use development (PUD) permits, variances, and site plan approvals related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the following within the Chautauqua Business District, as defined in Section 143-5(A)(6)(d)(1) of the Town of Chautauqua Zoning Law:
 - (i) New construction or the expansion of any structure, except for those permits related solely to an addition and/or modification to an existing single-family residence.
- B. The review or processing of any pending applications for building permits, special use permits, planned use development (PUD) permits, variances, and site plan approvals related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the uses, activities and operations set forth in Section 4(A)(i) of the Local Law shall be suspended for the duration of this moratorium.
- C. This moratorium shall not apply to Certificates of Occupancy for any and all construction pursuant to building permits issued prior to the effective date of this local law or the issuance of any building permit for the renovation or repair of any lawfully existing structure otherwise covered by this local law.
- D. The Town Board reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.

Section 5. Hardship

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then such owner may apply to the Town Board in writing for a variance from strict compliance with this Local Law, with proof of such unnecessary hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a building permit, special use permit, planned use development (PUD) permit, variance, and site plan approval or other permit during the period of the moratorium imposed by this Local Law.

- B. Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variance from this Local Law, the Town Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days written notice in the official newspaper of the Town. At said public hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board shall, within thirty (30) days of the close of said public hearing, render its decision either granting or denying the application for a variance from the strict requirements of this Local Law. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town Board shall grant a variance of the application of this Local Law to a particular property, and such variance shall be to minimum extent necessary to provide the property owner with relief from the strict compliance with this Local Law.

Section 6. Term

The moratorium imposed by this Local Law shall be in effect for a period of nine (9) months from the effective date of this Local Law.

Section 7. Penalties

Any person, firm or corporation that shall undertake, establish, place, develop, excavate, enlarge, construct or erect anything regulated within the "Scope of Controls" listed in Section 4 above in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall:

- (i) Be guilty if an offense, punishable by a fine not exceeding two hundred and fifty dollars (\$250.00) or imprisonment for a period not to exceed 15 days, or both. Each day's continued violation shall constitute a separate offense, and
- (ii) Be subject to appropriate action or proceedings by the proper authorities of the Town to enjoin, correct, or abate any violation(s).

Section 8. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provisions of this Local Law that can be given effect without such invalid provision.

Section 9. Suspension and Supersession of Other Laws

All local laws in conflict with the provisions of this Local Law area hereby superseded and suspended for a period of nine (9) months from the effective date of this Local law. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22.

In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Chautauqua with the authority to accept, hear, process and determine applications for variances from this Local Law.

Section 10. Effective Date

This Local Law shall take effect immediately when it is filed in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

No comments or objections were made by the public or of the Board

Motion by Councilman Dave Ward to close the public hearing at 7:24 P.M..

Second: Councilman Kenneth Burnett

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

Carried

RESOLUTION TO ADOPT LOCAL LAW NO. 3 OF 2016

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Chautauqua for a public hearing to be held by said Board on August 8, 2016 at the Chautauqua Municipal Building, 2 Academy Street, Mayville, to hear all interested parties on a proposed Local Law to adopt a moratorium on commercial projects within the Chautauqua Business District, and

WHEREAS, notice of said public hearing was duly published in the *Jamestown Post-Journal* and posted in the Town Clerk's office, and

WHEREAS, said public hearing was duly held on August 8, 2016 at the said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Chautauqua County Planning Department by letter dated August 8, 2016, sent in response to a referral made pursuant to Section 239-m of the General Municipal Law, has advised that the proposed Local Law is of local option, and

WHEREAS, the Board has determined that the adoption of the local law is a Type II action for purposes of the State Environmental Quality Review Act, for which no further review is required, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interests of the Town to adopt said Local Law,

NOW, THEREFORE, the Town Board of the Town of Chautauqua hereby adopts said Local Law as Local Law No. 3 of 2016, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Chautauqua, and to give due notice of the adoption of the Local Law to the Secretary of State.

Motion: made by Councilman Dave Ward to adopt Local 3 of 2016 as presented.

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: by Councilman Scott Cummings to open the public hearing at 7:25PM for Local Law 2 of 2016 for a Moratorium on Solar Farms.

Second: Councilman Kenneth Burnett

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

Carried

Supervisor Emhardt read aloud the final draft for Local Law 2 of 2016.

Local Law No. 2 of 2016

A LOCAL LAW IMPOSING A NINE-MONTH MORATORIUM ON THE PROCESSING OF APPLICATIONS FOR AND THE ISSUANCE OF ANY APPROVALS OR PERMITS FOR SOLAR FARMS AND SOLAR POWER PLANTS IN THE TOWN OF CHAUTAUQUA

Be it enacted by the Town Board of the Town of Chautauqua as follows:

Section 1. Title

This Local Law shall be referred to as a "Local Law Imposing a Nine Month Moratorium on the Processing of Applications for, and the Issuance of any Approvals or Permits for, Solar Farms and Solar Power Plants in the Town of Chautauqua."

Section 2. Purpose and Intent

Pursuant to the statutory and common law powers vested in the Town of Chautauqua (the "Town") to regulate and control land uses and to protect the health, safety and welfare of its residents, the Town Board of the Town hereby declares a temporary nine (9) month moratorium on the processing or approval of applications for building permits, special use permits, planned use development (PUD) permits, variances, and site plan approvals related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of Solar Farms and Solar Power Plants in the Town.

The Town Board desires to address in a careful manner the undertaking, establishment, siting, placement, construction, enlargement and erection of Solar Farms and Solar Power Plants on a comprehensive Town-

wide basis, rather than on an *ad hoc* basis, and to adopt new land use regulations to specifically regulate the same.

The Town Board finds that if development of Solar Farms and Solar Power Plants in the Town proceeds under the current Zoning Code it will lessen the ability of the Town to plan for its orderly development and protect the public health, safety and general welfare of the Town's citizens. Thus, the Town Board further finds and determines that it needs a period of time covered by the moratorium imposed herein in order to carefully review and complete the amendment of the Zoning Code to adopt regulations for Solar Farms and Solar Power Plants, schedule and hold the required public hearing(s), perform the appropriate environmental reviews, comply with applicable provisions of law, adopt the local law(s), and file the same with the Secretary of State of the State of New York.

The Town Board further finds that pursuant to 6 NYCRR 617.5(c)(30) the adoption of a moratorium on land development or construction is a Type II action under the New York State Environmental Quality Review Act ("SEQRA") which has been determined not to have a significant impact on the environment or is otherwise precluded from environmental review under Environmental Conservation Law, Article 8 and is therefore not subject to review under 6 NYCRR Part 617 or Article 8 of the Environmental Conservation Law.

Section 3. Authority

This moratorium is enacted by the Town Board pursuant to its authority to adopt local laws under Article IX of the New York State Constitution and Municipal Home Rule Law Section 10.

Section 4. Scope of Controls

- A. For a period of nine (9) months from the effective date of this Local Law, no board, officer or agency of the Town shall accept, process, consider or approve applications for building permits, special use permits, planned use development (PUD) permits, variances, and site plan approvals related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the following:
 - (i) Solar Farms and Solar Power Plants
- B. The review or processing of any pending applications for building permits, special use permits, planned use development (PUD) permits, variances, and site plan approvals related to the undertaking, establishment, placement, development, excavation, enlargement, construction or erection of the uses, activities and operations set forth in Section 4(A)(i) of the Local Law shall be suspended for the duration of this moratorium.
- C. This moratorium shall not apply to Certificates of Occupancy for any and all construction pursuant to building permits issued prior to the effective date of this local law or the issuance of any building permit for the renovation or repair of any lawfully existing structure otherwise covered by this local law.
- D. The Town Board reserves the right to direct the Town Building Inspector/Code Enforcement Officer to revoke or rescind any building permits or certificates of occupancy issued in violation of this Local Law.
- E. This Local Law does not regulate or preclude the issuance of permits for "Small-Scale Solar".
- F. For purposes of this local law, the following terms shall mean:

PHOTOVOLTAIC SYSTEM: A solar energy system that produces electricity by the use of semiconductor devices, called photovoltaic cells, that generate electricity whenever light strikes them.

SMALL-SCALE SOLAR: Solar photovoltaic systems that produce up to fifty kilowatts (kW) per hour of energy or solar-thermal systems which serve the building to which they are attached.

SOLAR FARM or SOLAR POWER PLANT: Energy generation facility or area of land principally used to convert solar energy to electricity, whether by photovoltaics, concentrating solar thermal devices or various experimental solar technologies, with the primary purpose of wholesale or retail sale of electricity.

Section 5. Hardship

- A. Should any owner of property affected by this Local Law suffer an unnecessary hardship in the way of carrying out the strict letter of this Local Law, then such owner may apply to the Town Board in writing for a variance from strict compliance with this Local Law, with proof of such unnecessary

hardship. For the purposes of this Local Law, unnecessary hardship shall not be the mere delay in being permitted to make an application or waiting for a decision on the application for a building permit, special use permit, planned use development (PUD) permit, variance, and site plan approval or other permit during the period of the moratorium imposed by this Local Law.

- B. Procedure. Upon submission of a written application to the Town Clerk by the property owner seeking a variance from this Local Law, the Town Board shall, within thirty (30) days of receipt of said application, schedule a Public Hearing on said application upon five (5) days written notice in the official newspaper of the Town. At said public hearing, the property owner and any other parties wishing to present evidence with regard to the application shall have an opportunity to be heard, and the Town Board shall, within thirty (30) days of the close of said public hearing, render its decision either granting or denying the application for a variance from the strict requirements of this Local Law. If the Town Board determines that a property owner will suffer an unnecessary hardship if this Local Law is strictly applied to a particular property, then the Town Board shall grant a variance of the application of this Local Law to a particular property, and such variance shall be to minimum extent necessary to provide the property owner with relief from the strict compliance with this Local Law.

Section 6. Term

The moratorium imposed by this Local Law shall be in effect for a period of nine (9) months from the effective date of this Local Law.

Section 7. Penalties

Any person, firm or corporation that shall undertake, establish, place, develop, excavate, enlarge, construct or erect anything regulated within the "Scope of Controls" listed in Section 4 above in violation of the provisions of this Local Law or shall otherwise violate any of the provisions of this Local Law shall:

- (i) Be guilty if an offense, punishable by a fine not exceeding two hundred and fifty dollars (\$250.00) or imprisonment for a period not to exceed 15 days, or both. Each day's continued violation shall constitute a separate offense, and
- (ii) Be subject to appropriate action or proceedings by the proper authorities of the Town to enjoin, correct, or abate any violation(s).

Section 8. Validity

The invalidity of any provision of this Local Law shall not affect the validity of any other provisions of this Local Law that can be given effect without such invalid provision.

Section 9. Suspension and Supersession of Other Laws

All local laws in conflict with the provisions of this Local Law area hereby superseded and suspended for a period of nine (9) months from the effective date of this Local law. This Local Law also supersedes, amends, and takes precedence over any inconsistent provisions of New York Town Law under the Town's Municipal Home Rule powers, pursuant to Municipal Home Rule Law §10(1)(ii)(d)(3), §10(1)(ii)(a)(14), and §22.

In particular, this Local Law supersedes any inconsistent provisions of New York Town Law §267, §267-a, §267-b, §274-a, §274-b, §276 and §277 for the purpose of vesting the Town Board of the Town of Chautauqua with the authority to accept, hear, process and determine applications for variances from this Local Law.

Section 10. Effective Date

This Local Law shall take effect immediately when it is filed in the office of the New York State Secretary of State in accordance with Section 27 of the Municipal Home Rule Law.

No comments or objections were made by the public or of the Board

Motion by Councilman Thomas Carlson to close the public hearing at 7:37 P.M..

Second: Councilman Kenneth Burnett

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

Carried

WHEREAS, a resolution was duly adopted by the Town Board of the Town of Chautauqua for a public hearing to be held by said Board on August 8, 2016 at the Chautauqua Municipal Building, 2 Academy Street, Mayville, to hear all interested parties on a proposed Local Law to adopt a moratorium on the development of solar farms in the Town of Chautauqua, and

WHEREAS, notice of said public hearing was duly published in the *Jamestown Post-Journal* and posted in the Town Clerk's office, and

WHEREAS, said public hearing was duly held on August 8, 2016 at the said time and place and all parties in attendance were permitted an opportunity to speak on behalf of or in opposition to said proposed Local Law, or any part thereof, and

WHEREAS, the Chautauqua County Planning Department by letter dated August 8, 2016, sent in response to a referral made pursuant to Section 239-m of the General Municipal Law, has advised that the proposed Local Law is of local option, and

WHEREAS, the Board has determined that the adoption of the local law is a Type II action for purposes of the State Environmental Quality Review Act, for which no further review is required, and

WHEREAS, the Town Board, after due deliberation, finds it in the best interests of the Town to adopt said Local Law,

NOW, THEREFORE, the Town Board of the Town of Chautauqua hereby adopts said Local Law as Local Law No. 2 of 2016, a copy of which is attached hereto and made a part hereof, and the Town Clerk hereby is directed to enter said Local Law in the minutes of this meeting and in the Local Law Book of the Town of Chautauqua, and to give due notice of the adoption of the Local Law to the Secretary of State.

Motion: made by Councilman Scott Cummings to adopt Local 2 of 2016 as presented.

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

A draft of Local Law 4 of 2016, Electrical Inspector Requirements, was presented to the Board.

Motion: made by Councilman Scott Cummings to set public hearing for Local Law 4 of 2016 to formerly adopt revisions to the Electrical Inspector Requirements. Hearing shall be at our next regularly scheduled meeting on September 12, 2016 at 7:15.

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

RESOLUTION TO INTRODUCE LOCALS LAWS BY EMAIL

WHEREAS, there is an aging requirement in which a proposed local law needs to be in final form and on the desk of all Town Board members for 7(seven) days or mailed 10(ten) days prior to a vote. To satisfy this requirement, the Town Board currently receives these introductions in their office mailboxes and/or US Postal Service.

WHEREAS, Town Law now permits this aging requirement to be satisfied by sending local laws in a Portable Document Format(PDF) via public email 10(ten) days prior to voting.

WHEREAS, board members now have public emails issued through the Town and published on the Town website.

NOW, THEREFORE, BE IT RESOLVED, the Town Board hereby authorizes the delivery of proposed local laws in final form via email in the form of a PDF 10(ten) days prior to voting.

Motion: made by Councilman Kenneth Burnett to adopt resolution.

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

Motion: made by Councilman Thomas Carlson to approve the supervisor’s report for July

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

Motion made by Councilman Kenneth Burnett to approve the vouchers as presented to the board for payment. Abstract #008, Voucher # 483-546

ABSTRACT # 008

DEPOSIT OF 07/18/2016 - 08/09/2016

Code	Fund	Amount
Book:	A B DA DB K SF2 SF4 SL1 SL2 SL4 SS1 SW1	
A	GENERAL FUND - TOWNWIDE	28,314.62
B	GENERAL FUND - OUTSIDE VILLAGE	932.22
DA	HIGHWAY FUND - TOWNWIDE	93,755.96
DB	HIGHWAY FUND - OUTSIDE VILLAGE	156,029.03
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	313.52
SL2-	DEWITTVILLE LIGHTING DISTRICT	357.83
SL4-	BAYBERRY LANDING LIGHTING DIST	26.34
SS1-	CHAUT HEIGHTS SEWER DISTRICT	2,858.82
SW1-	CHAUT HEIGHTS WATER DISTRICT	10,618.67
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	21.14
Total:		293,228.15
Total:		293,228.15

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

Motion made by Councilman Thomas Carlson to adjourn the regular meeting at 8:19 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

Town Clerk
Town of Chautauqua