

Mayville, NY

Regular Meeting

January 11, 2016

**Present:** Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Dave Ward, Thomas Carlson and Scott Cummings. Town Clerk, Rebecca Luba, Deputy Clerk, Elizabeth Steinbach, Highway Superintendent, Tim Wendell

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

**Public Comments:**

County Legislature, David Himelein, was present and updated the Board on current County activities. There will be a meeting on Thursday to review a study on the County Airports which are not currently self-funded.

**Departmental Reports:**

Town Clerk, Rebecca Luba reported that for the month of December monthly fees remitted totaled \$2,750.00; Dog License sales of \$263.00; Conservation sales of \$285.00 with a commission of \$15.70, Building/Zoning fees of \$830.00 and 2 Marriage licenses were issued.

Town Clerk's Annual Report was copied and submitted to the Board. Total Receipts for 2015 totaled \$68,323.93 matching Disbursements; 65 Marriage Licenses issued totaling \$2,600.00; Dog License Sales \$6,055.00; Conservation Sales \$19,383.00 with annual commissions being \$1,069.62; Building/Zoning Fees \$18,571.55 and Misc. Receipts \$2,312.33

Audit for the Town Clerk and Tax Collector was completed on January 8, 2016. Reports are filed in the Clerk's office for review.

2016 Tax Collection began January 11<sup>th</sup> and will continue through February 9<sup>th</sup> penalty free. A 1% penalty will be added February 10<sup>th</sup> through February 29<sup>th</sup> and 2% penalty effective March 1<sup>st</sup> through the end of collection on April 1<sup>st</sup>, 2016.

Historian's Annual Report was submitted and copied for the Board.

Assessor's report submitted and on file. Assessor, Kevin Okerlund reported on what trends NY State will be using for the 2016 Equalization Rates.

Class A is Residential: 1%, Class B is Commercial: -1%, Class C is Farms/Vacant Land: 7% and Class D is Utilities: not determined yet.

The impact this year will be the Farms/Vacant lands in which the trend is the highest see so far. Basically, the State is saying farms/vacant lands have increased in value by 7% year to year. Though this is County wide, Towns with Class C properties making up a larger percentage of their rolls will be the most impacted. The Board will be updated once the proposed equalization rate is received and reviewed.

Deputy Clerk, Elizabeth Steinbach reported that the Code/Zoning Office issued 13 building permits with project values of \$1,540,631.00 and 37 permits were closed with project values of \$578,851.50.

Highway reported cleanup of several trees from ice/wind storm and plowing for 5 days in December. Cut back some more brush. Started Gradall transmission /hyd. Motor repairs.

Request to the Board to purchase 2017 truck from Fleet Maintenance which includes the box, plow equipment and wing from Valley Fab.

**Motion** made by Councilman Thomas Carlson to purchase new Highway Truck at the State Bid price of \$200,000.00

**Second:** Councilman Scott Cummings

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

**Agenda Items:**

A disposition list of records to be disposed was presented to the Board. These records include 2009 vouchers, bank statements, clerk reports and Tax collection records.

**Motion** made by Councilman Kenneth Burnett to dispose of the records as presented to the Board according to the New York State Archives MU-I Schedule.

**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

**RESOLUTION 1 OF 2016**

WHEREAS, a reliable transportation infrastructure is vital for the safety of New York's travelling public and its economy; and

WHEREAS, 85 percent of New York's roads and bridges are maintained by local governments; and

WHEREAS, despite well-timed and targeted preventative maintenance treatments, the age and condition of many of our locally-owned transportation assets means that they are beyond preservation and in need of much more costly rehabilitation and reconstruction; and

WHEREAS, estimates by the State Comptroller, DOT and independent studies show a large portion of road mileage is deteriorating and many bridges in the state are rated structurally deficient and functionally obsolete; and

WHEREAS, the State Comptroller estimates that there will be \$89 billion in unmet local infrastructure needs over the next 20 years; and

WHEREAS, the New York State Association of Town Superintendents of Highways commissioned its own fifteen year analysis that indicates an annual funding gap of \$1.3 billion for the local system (excluding NYC) alone; and

WHEREAS, funding for our local system has been far short of what is needed and we've fallen further and further behind in maintaining the vast and aging transportation infrastructure over this long period with severe consequences for conditions ratings; and

WHEREAS, the New York State Consolidated Local Street and Highway Program (CHIPS) provides essential funding for every municipality in the state and is part of the New York State Department of Transportation (NYSDOT) capital program; and

WHEREAS, in the early 1990's the Governor and Legislature created the Dedicated Highway and Bridge Trust Fund (DHBTF) to pay for the NYSDOT capital program and the Dedicated Mass Transit Trust Fund (DMTTF) to assist with the Metropolitan Transportation Authority (MTA) and other transit systems' capital programs; and

WHEREAS, when the DHBTF was created, it was agreed that the NYSDOT and MTA five-year capital programs would be similar in size and would be negotiated concurrently; and

WHEREAS, through 2005-09, both five-year capital programs were similar in size and adopted within months of each other; and

WHEREAS, in 2010 the Executive and Legislature broke traditional parity and enacted a five-year capital program for the MTA but not the DOT;

NOW, THEREFORE, BE IT

RESOLVED, that the Town of Chautauqua calls upon the Governor and the state Legislature to make additional state funding and resources available at levels that accurately reflect the critical needs of local roads and bridges; and increase CHIPS funding in the 2016-17 state budget; and BE IT FURTHER

RESOLVED, that the Town of Chautauqua calls upon the Governor, and members of the state Legislature to fully fund and submit a new NYSDOT five-year transportation capital plan; and BE IT FURTHER

RESOLVED, that the Town of Chautauqua calls upon the Governor and members of the state Legislature to recognize the equality of roads, bridges and transit by restoring funding equality between the MTA and NYSDOT five-year programs and by voting on the plans simultaneously.

Dated: January 11, 2016

**Motion** Councilman Thomas Carlson

**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

**Discussion:**

The Board further discussed Sewer District 1 extension/retrofit and reviewed some figures that changed from last meeting. The North Chautauqua Lake Sewer Board will be meeting later this week and the Board will be updated.

The Board also reviewed FEMA ICS training requirements for public officials. Course 100 and 700 can be taken online and is required of all elected officials in order to obtain disaster relief reimbursement for the Town. Councilman Scott Cummings will forward the email to all Board members.

**Supervisor’s report** will be presented to the Board for February. Bookkeeper is currently working on the 2015 AUD report.

**Motion** made by Councilman Scott Cummings to approve the vouchers as presented to the board for payment. Abstract #013, Voucher #841-904 and Abstract #001, Voucher #001-020

**ABSTRACT # 013**  
**DEPOSIT OF 12/28/2015 - 01/12/2016**

Code	Fund	Amount
<b>Book: A B DA DB K SF2 SF4 SL1 SL2 SL4 SS1 SW1</b>		
A	GENERAL FUND - TOWNWIDE	29,857.59
B	GENERAL FUND - OUTSIDE VILLAGE	8,433.28
DA	HIGHWAY FUND - TOWNWIDE	15,154.41
DB	HIGHWAY FUND - OUTSIDE VILLAGE	2,101.13
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	404.74
SL2-	DEWITTVILLE LIGHTING DISTRICT	495.03
SL4-	BAYBERRY LANDING LIGHTING DIST	38.42
SS1-	CHAUT HEIGHTS SEWER DISTRICT	2,781.04
SW1-	CHAUT HEIGHTS WATER DISTRICT	6,598.35
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	28.40
<b>Total:</b>		65,892.39
<b>Total:</b>		65,892.39

**ABSTRACT # 001**  
**DEPOSIT OF 01/12/2016 - 01/12/2016**

Code	Fund	Amount
<b>Book: A B DA DB K SF2 SF4 SL1 SL2 SL4 SS1 SW1</b>		
A	GENERAL FUND - TOWNWIDE	30,453.91
DA	HIGHWAY FUND - TOWNWIDE	10,107.37
<b>Total:</b>		40,561.28
<b>Total:</b>		40,561.28

**Second:** Dave Ward

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Thomas Carlson – Aye  
Councilman Kenneth Burnett – Aye  
Councilman James Kurtz – Aye  
Councilman Dave Ward – Aye

**Carried**

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

**Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Thomas Carlson – Aye  
Councilman Kenneth Burnett – Aye  
Councilman James Kurtz – Aye  
Councilman Dave Ward – Aye

**Carried**

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Rebecca Luba, RMC  
Town Clerk  
Town of Chautauqua