

Mayville, NY

Regular Meeting

April 11, 2016

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

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 March 14, 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:

No comments.

Departmental Reports:

Town Clerk, Rebecca Luba reported that for the month of March monthly fees remitted totaled \$2,085.70; Dog License sales of \$421.00; Conservation sales of \$180.00, Building/Zoning fees of \$1134.20 and 5 Marriage licenses were issued.

Tax collection ended April 1st. Final reports are done and final check has been written to the County. Tax collection report reviewed and submitted to the Board.

Town Clerk will be attending the annual clerk's conference April 17-20, 2016 and the Municipal Finance School on May 5-6, 2016.

Zoning Clerk, Elizabeth Steinbach reported that the Code/Zoning Office issued 11 building permits with project values of \$569,033.00 and issued 6 Certificates of Completion with project values of \$1,239,600.00.

Highway reported plowing for 2 days in March. Several truck repairs for #10, 12 and 21. Cleaned and painted plow equipment. Cut more trees due to wind storms and currently replacing driveway culverts. According to a memo shared by Senator Catharine Young, dated April 8, 2016, there will be an increase in CHIPS funding for 2016-17.

Assessor's report was submitted and on file. The office is in the process of finishing up valuation on all new construction, demolitions and owner requests for review. Gas well production values have fallen from 9.54/mcf in 2012 to 1.82/mcf this year. Gas well assessments have dropped from approximately \$3,827,000 in 2012 to \$1,052,000 last year with an additional drop this year. Tentative Assessment Roll will be filed May1, 2016 and legal will be posted.

Committees:

Supervisor Emhardt and Councilman Carlson reported on the expansion and retrofit of Sewer District 1. Engineering plans will be drafted and sent to the DEC by August.

Agenda:

Disposition report submitted by the Court Clerk that include motor vehicle & Traffic violations dated 2007, 2008 and 2009. Disposition was approved by the O.C.A on 3/10/16

Motion: made by Councilman Kenneth Burnett to accept the report as submitted.

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

Highway Superintendent, Tim Wendell, reported that there are 2 10-wheelers, #3 and #9 that can be sold. There is interest from other municipalities. Request of the Board to deem them as surplus so they can be sold or auctioned.

Motion made by Councilman Thomas Carlson to designate the above mentioned 10-Wheelers as Surplus and authorize the Highway Superintendent to sell or auction the trucks in the Town's best interest.

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

The Board discussed docks that are being stored and installed on Town right-of-ways. A recent survey was completed for Magnolia road outlining the Town's right-of-way due to a dock that was installed on the right-of-way last year. Though the Town Zoning Code does not regulate docks, it would be in the Town's best interest to not permit such use of Town property and right-of-ways.

Motion made by Councilman Scott Cummings that private docks shall not be permitted to be stored or installed on Town property or right-of-ways.

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 Thomas Carlson authorizing the Town Supervisor to hire a surveyor to survey the Town property between Academy and N. Erie streets bordering W. Chautauqua Street.

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

Jeff Paddock, Zoning and Code Officer, has requested that the Board permit new principal uses to the Commercial-Tourism District under Local Law that would include Business offices, Two-family and Multiple-Family dwellings to reflect current conditions in the CT Zoning district. A draft of the local law was presented to the Board by the Town Attorney, Joel Seachrist. After review and discussion, the Board felt it would be in the best interest of the community to also include custom shops.

Motion made by Councilman Thomas Carlson to set a public hearing for Monday, May 9, 2016 at 7:15P.M.

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

Town Court is in need of extra security during calendar call. An agreement with the Chautauqua County Sheriff's Office was presented to the Board to provide security one day every month for Town Court for a minimum of four (4) hours for a maximum annual sum not to exceed \$2,000.00 based upon the hourly rate of \$27.64 with quarterly payments.

Motion made by Councilman Thomas Carlson to authorize the Town Supervisor, Donald Emhardt, to enter in to the proposed agreement with Chautauqua County Office of the Sheriff.

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

A bid to install a metal roof on the water treatment station in Water District 2, Chautauqua Heights, was reviewed. The Board requested more information and additional quotes. Water District manager will be contacted by the Town Supervisor.

Discussion:

Chautauqua County Department of Insurance provided the Board with their annual exit liability, as per Chautauqua County Local Law 4-2007, in the amount of \$487,651 if the Town would choose to leave the Worker's Compensation Ultimate Liability Plan.

Supervisor Donald Emhardt reported that Chautauqua County will be holding their 16th Annual Worker's Memorial on Saturday, May 7, 2016. at the Chautauqua County Worker's Memorial site at Erlandson Overview Park on Oak Hill Rd. in Frewsburg.

The Chautauqua Lake Association (CLA) will be holding a Denim & Diamonds fundraiser on June 17th, 2016 at the Seaver Gym in Chautauqua Institution.

Chautauqua Home Rehabilitation and Improvement Corporation (CHRIC) will be holding its 1st Annual Golf Tournament at Shorewood Country Club in Dunkirk, NY on June 30th, 2016. Information is available in the Clerk's office.

Supervisor, Emhardt reported that letters have been sent to the Fire Protection Districts in regard to their budget requests for 2017 stating that the Town will not place into the budget anything over the applicable tax cap.

Undersheriff Charles Holder was in to do a security assessment on the Town offices. His report was presented to the Board. After review and discussion, the Board decided to seek quotes from security agencies that would include surveillance cameras, panic buttons, alarm and keyless entry system.. The Town Clerk will present the Board with quotes at the next meeting.

Motion made by Councilman Dave Ward to approve the Supervisor's Reports for March and February.

Second: 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 Scott Cummings approve the vouchers as presented to the board for payment. Abstract #004, Voucher # 176-261

**ABSTRACT # 004
 DEPOSIT OF 03/28/16 - 04/12/16**

Code	Fund	Amount
Book:	A B DA DB K SF2 SF4 SL1 SL2 SL4 SS1 SW1	
A	GENERAL FUND - TOWNWIDE	35,195.12
B	GENERAL FUND - OUTSIDE VILLAGE	4,424.06
DA	HIGHWAY FUND - TOWNWIDE	21,644.92
DB	HIGHWAY FUND - OUTSIDE VILLAGE	11,712.61
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	377.45
SL2-	DEWITTVILLE LIGHTING DISTRICT	453.79
SL4-	BAYBERRY LANDING LIGHTING DIST	34.80
SS1-	CHAUT HEIGHTS SEWER DISTRICT	27,969.62
SW1-	CHAUT HEIGHTS WATER DISTRICT	88,007.70
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	12,522.94
Total:		202,343.01
Total:		202,343.01

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 Thomas Carlson to adjourn the regular meeting at 8:46 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