

Mayville, NY

Regular Meeting

June 13, 2016

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

Others Present: Residents Sharon Smead, Village Trustee. Dave Himelein.

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

Motion made by Councilman, Dave Ward to approve the minutes as presented to the board for May 09, 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:

Supervisor Emhardt reported that he has received Notice from the NYS Department of Taxation and Finance showing the Town of Chautauqua's Tentative State Equalization Rate for the 2016 Assessment Roll is at 100.00

Chautauqua County Department of Insurance has sent notice of the 2017 Worker's Compensation charge to the Town. It is anticipated to be \$138,272.55

Town Clerk, Rebecca Luba reported that for the month of May monthly fees remitted totaled \$5,183.94; Dog License sales of \$445.00; Conservation sales of \$747.00, Building/Zoning fees of \$2,260.80 and 12 Marriage licenses were issued.

Building Department reported that 31 building permits were issued in May with a total project value of \$787,106.00 and 10 Certificates of Completion were issued with a total project value of \$520,660.00.

Highway reported that roads are being patched and oiling will start next week.

Assessor's report was submitted and on file. Final Tax roll will be filed with the County and State July 1, 2016 and posted on the Town's website.

Monthly report for Town court submitted and on file.

Committees:

Supervisor Emhardt and Councilman Carlson reported on the integrated Sewage Management Plan for Sewer District 1. An updated engineering report and public hearing is needed for Sewer

District 1 prior to moving on with the design contract. A proposal from AECOM has been submitted for the Board to review.

Agenda:

RESOLUTION TO HIRE AECOM TO PREPARE UPDATED ENGINEERING REPORT FOR SEWER DISTRICT No. 1

WHEREAS, attorney, Gregory Yaw, has advised the Board that an updated report and public hearing must be held before the design contract can be approved for Sewer District No. 1

WHEREAS, the updated report will include all costs to Sewer District No. 1 users including the Capital cost of constructing and operating the pumping station and force main.

WHEREAS, the new report will also include the portion of capital costs attributable to Sewer District No. 1 users for upgrades and O&M costs to operate the upgraded NCLSD WWTP.

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

Motion: to approve made by Councilman Scott Cummings

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

A request was submitted by Kevin Cole of Southern Tier Electrical Inspections, to be reinstated as an approved electrical inspector for the Town of Chautauqua. After review of information submitted to the Board, it was found that numerous inspections were never submitted resulting in several permits being closed out as incomplete.

Motion made by Councilman, Thomas Carlson to deny the request for a period of 3 years.

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

Chautauqua Lake Watershed Management Alliance submitted a request for the Town's membership renewal. It was reported that within their inaugural year, they were able to leverage \$357,722 of local funding to bring in \$1,073,170 of state funds for seven stream bank restorations on six different tributaries.

Motion made by Councilman Thomas Carlson to renew the membership with CLWMA for 2016-17 at Tier level 2 in the amount of \$2,000.

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Abstains (Executive Board of Directors for CLWMA)
Councilman Scott Cummings – Aye
Councilman Dave Ward – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye

Carried

RESOLUTION AUTHORIZING LEASE TO CHAUTAUQUA COUNTY, SUBJECT TO PERMISSIVE REFERENDUM

WHEREAS, the Supervisor with assistance of counsel has negotiated the substantial terms of an agreement with Chautauqua County for the lease of office space located on the 2nd floor of the Chautauqua Municipal Building, for use by the County's Mental Health department.

WHEREAS, the Town Board agrees to a 3-year lease agreement for 2,068sq. ft. of office space at a rental rate of \$5.75 per square foot plus \$100.00 per month for utilities paid in monthly installments of \$1090.00

WHEREAS, the Town Board believes it to be in the best interests of the Town and its residents to enter into said lease agreement

NOW, THEREFORE, BE IT RESOLVED, that the Town Board of the Town, in regular session duly convened, does hereby authorize and direct the Supervisor of said Town to finalize and execute a lease agreement with Chautauqua County and to execute such other instruments as are necessary to provide use of the said premises to the lessee, subject to permissive referendum as permitted by law.

Motion to approve made by Councilman Scott Cummings

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

Due to the Code Enforcement Officer's position becoming full-time, it is not subject to Civil Service Law. Canvas letters were sent out according to the exam results provided by the County. Our current Code Enforcement Officer, Jeff Paddock, was amongst those eligible for appointment. **Motion** made by Councilman Dave Ward to appoint Jeff Paddock as a full-time Inspection Officer for the Town of Chautauqua at his current wage of \$25.45/hr.

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 approve the vouchers as presented to the board for payment. Abstract #006, Voucher # 328-414

ABSTRACT # 006
DEPOSIT OF 05/16/2016 - 06/14/2016

Code	Fund	Amount
Book :	A B DA DB K SF2 SF4 SL1 SL2 SL4 SS1 SW1	
A	GENERAL FUND - TOWNWIDE	28,300.06
B	GENERAL FUND - OUTSIDE VILLAGE	9,649.91
DA	HIGHWAY FUND - TOWNWIDE	15,346.02
DB	HIGHWAY FUND - OUTSIDE VILLAGE	27,581.93
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	324.83
SL2-	DEWITTVILLE LIGHTING DISTRICT	374.73
SL4-	BAYBERRY LANDING LIGHTING DIST	27.73
SS1-	CHAUT HEIGHTS SEWER DISTRICT	3,607.31
SW1-	CHAUT HEIGHTS WATER DISTRICT	7,876.12
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	892.07
Total :		93,980.71
Total :		93,980.71

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 7:33 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

