

Mayville, NY

Organizational Meeting

December 29, 2023

Present: Supervisor Donald Emhardt, Councilmen Scott Cummings, Thomas Carlson, Kenneth Burnett, Highway Superintendent Terry Sanden, Town Clerk, Rebecca Luba, Code Officer, Ken Shearer and MEO, Rob Hetrick

Absent: Councilman, Al Akin

Supervisor Emhardt opened the meeting at 9:05 A.M.

Organizational Agenda:

1. Saxton & Kocur as bookkeeper
2. 2024 Salary Schedule for the Officials/Employees

Town of Chautauqua Officials / Employees

2024

<u>Fund</u>	<u>Position</u>	<u>Annual Salary</u>	<u>Hours / Specifics</u>
A1010.1	Councilman (3)	\$ 6,323.00	Elected
A1010.1	Deputy Supervisor	\$ 7,071.00	Appointed
A1110.1	Justice	\$ 14,253.00	Elected
		\$ 23.90/	Average 27.5 hours /
A1110.1	Court Clerk (1)	Hour	week
			Total of 1430 hours /
			year
A1110.1	Deputy Court Clerk	\$ 17.90/ Hour	Part Time as needed
A1220.4	Bookkeeper (Saxton & Kocur)		Hourly not to exceed
A1220.1	Supervisor	\$ 12,500.00	Elected
A1330.1	Tax Collector	\$ 10,609.00	Appointed
A1355.1	Appraiser Technician	\$ \$29.00hr.	Part time
A1355.1	Assessor Clerk (Typist II)	\$ 46,800.00	Full time
A1355.4	Assessor	\$ 25,000.00	Contracted with Ellery
A1355.4	Board of Assessment Review	\$ 200.00	Paid upon comp of duties
A1410.1	Town Clerk	\$ 64,731.00	Elected
A1410.1	Deputy Town Clerk	\$ 43,868.00	Appointed
A1460.1	Records Manager	\$ 10,609.00	Appointed
	Building Custodian/Maintenance-		
A1620.1	Steve	\$ 20.60/ Hour	20-hour week
	Building Custodian/Maintenance-		
A1620.1	Don	\$ 20.60 / Hour	As Needed
A5010.1	Highway Superintendent	\$ 86,713.00	Elected
A3510.1	Animal Control Officer	\$ 18.54/ Hour	Appointed

A3620.1	Lead Code Officer Ken	\$ 36.05/Hour	Appointed
A3620.1	Inspection Officer / Frank	\$ 32.00/ Hour	Appointed
A3620.1	Code Office Clerk	\$ 20,806 salary	Appointed
B8010.1	Zoning Clerk	\$ 20,806 salary	Appointed
B4020.1	District 654 Registrar	\$ 750.00	Paid in December
B4020.1	Deputy Registrar	\$ 750.00	Paid in December
B7510.1	Historian	\$ 1,750.00	Paid in December
B8010.4	ZBA Chairman	\$ 100.00 / Mtg.	Attendance required
B8010.4	ZBA Members & Alternates	\$ 50.00 / Mtg.	Attendance required
DA5120.1	Machine Equipment Operators	\$ 31.46/ Hour	Appointed
	MEO -5 th year	\$ 29.89/ Hour	Appointed
	MEO – 4 th year	\$ 28.31/ Hour	Appointed
DA5130.1	MEO – 3 rd year	\$ 26.74/ Hour	Appointed
	MEO – 2 nd year	\$ 25.17/ Hour	Appointed
DA5142.1	MEO - new hire	\$ 23.60/ Hour	Appointed
DB5110.1	Deputy Superintendent	\$ 33.98/ Hour	Appointed
	Mileage Rate(Federal Rate)	\$.67 cents / Mile	Officials & Employees

3. Appointments

Deputy Supervisor – Thomas Carlson

Bookkeeper – Saxton & Kocur

Human Resources Director – Town Clerk's Office

Zoning Board of Appeals Alternates- Bill Titus and Rick Larson

Town Historian - Devon Taylor

Registrar/Deputy Registrar of District 654- Rebecca Luba and Jessica Emhardt

Court Clerk - Leah Olson

Deputy Highway Superintendent- Rob Hetrick

Dog Control Officer - Gloria McCormick

Inspection Officers Ken Shearer* & Frank Watson

*any other available certified inspector- Discretion of Ken Shearer

Appraiser Technician – Heather Young-Deyell (part time)

Assessor Clerk (Typist II) – Janette Strickland

4. Setting of Official Meeting Night

Town Board Meeting the Second Wednesday of the month at 7:00 p.m.

5. Designation of Official Repository

M&T, Community Bank, or other financial institution offering a greater benefit to the Town.

6. Designation of Official Newspaper- Jamestown Post Journal via column

7. Establishment of (3) Petty Cash Funds in the amount of \$100.00 each:

a. Town Clerk b. Court Clerk c. Tax Collector

8. Authorization for Town Supervisor (acting on behalf of the Town Board) to

Authorize employees and officials for attendance at schools/seminars.

9. Authorization for the Supervisor to pre-pay claims for utilities and other contracted expenses thus avoiding late charges. Authorization to pre-pay postage and or delivery charges for freight deliveries.
10. Approval of Youth Recreation Program
11. Approval of Association Dues for 2024
12. Review of
 - *Security/Custody Agreement
 - *Investment Policy
 - *Purchasing Policy
 - *Benefit Package (Vacation, sick leave, retirement)
 - *Handbook
 - *Workplace violence / Harassment Policy
 - (Should no changes be deemed necessary, existing agreements shall stand)
13. Review of Drug/Alcohol Testing Facility
 - *Lakeshore Testing Facility
 - (Should no changes be deemed necessary, existing facility shall stand)
14. Approval for Designation of Attorney (Contract for Services in force)
Attorney Joel Seachrist
15. Mutual Aid Program for Highway Projects and Maintenance remains in force.
16. Permission for Highway Superintendent to attend highway school in June and fall Conference in September.
17. Permission for Town Clerk to attend annual Town Clerks Conference in April/May,
18. Permission for the Tax Collector to attend annual Tax Collector's Conference in June.
19. Permission for Code Enforcement Officers to attend annual training in September.
20. Permission for elected officials to attend necessary seminars..
21. Assessing Services Agreement for 2024 with the Town of North Harmony
22. Supervisor's Committee Appointments:

COMMITTEES FOR 2024

1. Assessment and Code:
Chair – Ken Burnett Member- Scott Cummings
Associates- Ken Shearer, Frank Watson, Anne Golley, Troy Smith, Nicole Yacklon
2. Public Works and Buildings:
Chair-Tom Carlson Member- Al Akin

Associates- Terry Sanden, Steve Nowicki, Don Emhardt

3. Human Resources:

Chair – Tom Carlson

Member-Don Emhardt

Associates-Rebecca Luba, Terry Sanden, Joe Roll, Nicole Yacklon

4. Town Clerk and Justice Court:

Chair- Al Akin

Member- Ken Burnett

Associates-Rebecca Luba, Leah Olson

5. Water and Sewer

Chair Don Emhardt

Member Scott Cummings

23. Authorize Supervisor to sign Budget Agreements

24. Agreement to spend Highway Funds.

25. Mileage Rate of .67 cents per mile (Federal Standard Mileage Rate)

26. Approval of Code/Zoning Fees

2024 Building Permit Fee Schedule Town of Chautauqua

Permit Application Fee

\$50.00

Application fee will be deducted from the permit fee

Residential Building Permit Fees:

New Construction (Valid 1 Yr.)

\$0.15 sq. foot

Additions/Alterations

\$75.00 Flat Fee

Other Permits

\$75.00 Flat Fee

Repair/Retrofit, Sheds, Roofs, Decks/Porches,

Signs, pools and fences

Utility Permit- Electrical, HVAC, Plumbing, Solid Fuel

\$50.00 Flat Fee

Demolition Permit

\$50.00 flat Fee

Renewals/Extensions

\$50.00 Flat Fee

-Length of Extension determined by Code Officer Max. Of 1 year

Commercial Building Permit Fees:

New Construction (Valid 1 Yr.)

\$0.30 sq. foot

Additions/Alterations

\$100.00 Flat Fee

Other Permits

\$75.00 Flat Fee

Repair/Retrofit, Sheds, Roofs, Decks/Porches,

Signs, pools and fences

Utility Permit- Electrical, HVAC, Plumbing, Solid Fuel

\$50.00 Flat Fee

Demolition Permit

\$50.00 flat Fee

Renewals/Extensions

\$50.00 Flat Fee

-Length of Extension determined by Code Officer Max. of 1 year

Zoning Fees:

<i>Variance, Special Use, SUP, etc.</i>	\$100.00 Flat Fee
Home Occupation Permit: One Time Fee	\$50.00 Flat Fee
Zoning Compliance Review	\$25.00 Flat Fee

Penalties:

Working w/out Permit-	<u>Owner</u>	\$100.00 Fine*
	<u>Contractor</u>	\$500.00 Fine*

*In addition to applicable building permit fees

NO CHARGE for permits issued due to Catastrophic Conditions if applied for within 2 years

Solar/Wind Farms:

A. Application Fee-	\$5,000.00
B. Special Use Permit Fee-	\$500.00 per mw of rated max. capacity
C. Building Permit-	\$500.00**
D. Electrical Permit-	\$50.00
E. Fence Permit-	\$50.00

Communication Towers:

A. Application Fee-	\$1,000.00
B. Special Use Permit Fee-	\$1,000.00 per 100 ft or fraction of proposed
C. Building Permit-	\$500.00**
D. Electrical Permit-	\$50.00
E. Fence Permit-	\$50.00

** Additional fees may apply in accordance with Town Code Section 143-53.1W (1,2)

Councilman Cummings requested the Board's consideration in obtaining a second attorney for the Town. The Board discussed how this could benefit the Town with the multiple projects requiring legal action as well as serving as a backup for the primary attorney. Supervisor Emhardt offered to obtain the proposals. **Motion** made by Councilman Scott Cummings to approve the organizational items numbered 1-25 in addition to approving the Supervisor to obtain proposals for a second attorney.

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Aye
 Councilman Thomas Carlson – Aye
 Councilman Kenneth Burnett – Aye
 Councilman Scott Cummings – Aye
 Councilman Alan Akin – Absent

Carried

Code Officer Shearer reviewed the proposed fee schedule with the Board and recommended an increase to commercial alterations by adding an additional \$0.10/sq ft to the flat fee. These projects require more extensive code review and inspections.

Motion made by Councilman Thomas Carlson to approve organizational item 26, Building Permit fee schedule, with suggested changes to the commercial alteration fee recommended by the code office.

Second: Councilman Scott Cummings

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

Councilman Alan Akin – Absent

Carried

Water Rates- Water District 3 and Water District 4

The Board reviewed the past year's revenue and expenses for both Water Districts supplied by CUD proposing the following rates effective April 1, 2024.

ANNUAL METER FEE:

¾" to 1" meter	\$220.00
1 ½" meter	\$426.00
2" meter	\$642.00

WATER USAGE FEE:

\$1.00 per 100 gallons of water

Motion made by Councilman Scott Cummings to approve the rates as proposed.

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Carried

Councilman Cummings reported that the HR committee met to discuss changes to the Employee Handbook. With Juneteenth becoming a federal holiday, the committee is recommending that it be added to the Town's Holiday Schedule in addition to removing all floating holidays.

Motion made by Councilman Scott Cummings to approve changes as recommended.

Second: Councilman Thomas Carlson

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Highway Building – New Entry Doors

A proposal to furnish and install new entry doors for the highway building was submitted and reviewed by the Board. Supervisor Emhardt stated costs would be covered through the remaining 2023 funds budgeted for buildings and grounds.

Motion made by Councilman Thomas Carlson to approve the purchase from Plyler Entry Systems not to exceed \$32,800.00.

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Carried

Winter Ice Festival – Sponsorship

A request was received by the Mayville-Chautauqua Chamber of Commerce for sponsorship to cover the rising costs for fireworks. Supervisor Emhardt stated that after review of the Town's appropriations, the Town could support a level 3 sponsorship in addition to the \$5,000 budgeted for this event.

Motion made by Councilman Scott Cummings to approve the sponsorship level not to exceed \$500.00 .

Second: Councilman Thomas Carlson

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Carried

SEQRA – Neg. Declaration for Proposed Water District 5

RESOLUTION DETERMINING THAT THE PROPOSED TOWN OF CHAUTAUQUA WATER DISTRICT NO. 5 PROJECT IS A TYPE 1 ACTION AND WILL NOT HAVE A SIGNIFICANT ADVERSE IMPACT ON THE ENVIRONMENT

WHEREAS, the Town of Chautauqua (Town) is proposing the Town of Chautauqua Water District No. 5 (Project), located in the Town of Chautauqua, Chautauqua County, New York; and

WHEREAS, the Project has been classified as a "Type I Action" as defined by the State Environmental Quality Review Act (SEQRA) in 6 NYCRR Part 617.4; and

WHEREAS, the Town of Chautauqua Town Board sent a letter and Part 1 of a Full Environmental Assessment Form (FEAF) to other potentially "Interested Agencies" and "Involved Agencies" (as these terms are defined in the SEQRA Regulations found at 6 NYCRR Part 617.2), indicating the Town's desire to serve as the "Lead Agency" (as this quoted term is defined in the SEQRA Regulations) and to complete a coordinated review of the Project (in accordance with 6 NYCRR Part 617.6); and

WHEREAS, responses from Interested and Involved Agencies were requested, and each of the potentially Interested and Involved Agencies has agreed to, or raised no objections to, the Town of Chautauqua Town Board serving as Lead Agency for the Project; and

WHEREAS, pursuant to the SEQRA Regulations, the Town of Chautauqua Town Board has considered the significance of the potential environmental impacts of the Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, and (b) examining the FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF, together with other available supporting information, to identify the relevant areas of environmental concern:

NOW, THEREFORE, BE IT

RESOLVED that, the Town of Chautauqua Town Board hereby establishes itself as Lead Agency for the Project; and

BE IT FURTHER RESOLVED, that based upon an examination of the FEAF and other available supporting information, and considering both the magnitude and importance of each relevant area of environmental concern, and based further upon the Town's knowledge of the area surrounding the Project, the Town of Chautauqua Town Board makes the determination that the Project will not have a significant adverse environmental impact and that the Project will not require the preparation of a Draft Environmental Impact Statement; and

BE IT FURTHER RESOLVED, that as a consequence of such findings and declaration, and in compliance with the requirements of SEQRA/SERP, the Town of Chautauqua Town Board, as Lead Agency, hereby directs the Town of Chautauqua Supervisor to sign the FEAF Part 3 – Determination of Significance indicating that a Negative Declaration has been issued for the Project; this Resolution shall take effect immediately and will be properly noticed.

The question of the adoption of the foregoing resolution was duly put to a vote, and upon roll call, the vote was as follows:

Motion by Councilman Scott Cummings

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Carried

Engineering Agreement- Battery Energy Storage System Law

A proposal by Wendell engineering was presented to the Board for assistance with developing a Local Law regulating Battery Energy Storage Systems(BESS) in the Town of Chautauqua. With the multiple applications already received for large-scale solar energy systems, the addition of the systems may be requested in the future.

Motion made by Councilman Scott Cummings to approve the proposal not to exceed \$10,000.00 and authorizes the Town Supervisor to execute the agreement as presented.

Second: Councilman Kenneth Burnett

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Non-Agenda Items:

Designation of Surplus Equipment

Supervisor Emhardt requested the Board's authorization to dispose of the old wooden folding tables that were left in the building when it was acquired in 2006. All tables have been replaced with lighter plastic tables that are easier to transport and setup.

Motion made by Councilman Scott Cummings to deem the tables as surplus and authorizes the Town Supervisor to dispose of them in the best interest of the Town.

Second: Councilman Thomas Carlson

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Motion: made by Councilman Thomas Carlson to adjourn the organizational meeting at 10:14 AM.

Second: Councilman Scott Cummings

Vote: Supervisor Donald Emhardt – Aye
Councilman Thomas Carlson – Aye
Councilman Kenneth Burnett – Aye
Councilman Scott Cummings – Aye
Councilman Alan Akin – Absent

Carried

Rebecca Luba, RMC
Town Clerk