

Mayville, NY

Regular Meeting

October 11, 2022

Present: Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Al Akin, Thomas Carlson and Scott Cummings. Highway Superintendent, Dan Thorsell, Deputy Clerk, Jessica Emhardt

Others Present: Karen Engstrom, Sharon Smead, Jeff Ruch, Rick Syper, Karen Gros, Shannen & Jesse Kresek, Kevin Coyle, Jeff Wagner and Greg Bacon (Post-Journal)

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 for the regular meeting on 9/12/22 and special meeting held 9/27/22.

Second: Councilman Thomas Carlson

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

Carried

Departmental Reports:

Town Clerk report was submitted and filed. Fees collected for September totaled \$13,123.63 and disbursed as follows:

Supervisor-A Fund: \$7,927.17 B Fund: \$100.00, SS1 Fund: 1,107.38 SW3 Fund \$0.00

NYS DEC license sales: \$4,772.46, NYS Animal Population Control program: \$154.00, Dept. of Health \$270.00. 12 Marriage licenses were issued, and 20 record requests completed. Dog license renewals mailed for October and reminders for all expired licenses. Primary Shelter agreement is now in place with Small Town Shelter out of Sherman, NY. A secondary agreement was also made with Chautauqua County Humane Society to handle any overflow and animal cruelty cases.

Quarterly sewer/water bills mailed. New service connection in the Sandalwood Water District was approved by the Village of Mayville and associated fees paid.

Penalty free phase for School Tax Collection ended 9/30/22. Collection will continue through the end of October with an added 2% penalty.

Code Enforcement report submitted. Total of 28 building permits issued for September with project values totaling \$4,631,183.00 and 10 Certificates of Completion issued with project values totaling \$238,900.00

Highway report submitted and on file. Department hauled sand to mix with salt for the winter season. Potter Rd. blacktopped with shoulders added. Pipes installed for snowmobile club on Beaujean and Bloomer Rd crossings. Soil and Water hydroseeding for ditching and pipe projects. Mowed roadsides.

Assessor's report was submitted and filed with the Clerk's office. The office is still fielding calls and walk-ins regarding school tax bills, along with apportionments to the tax collector when owners split their parcels. Attended the Assessor's conference in Lake George for the recertification credits that are required annually. 2023 exemption renewals are in the process of being sent out. Property owners will need to reapply by March 1, 2023.

Committee Reports:

HR Committee The committee will be meeting on October 25, 2022 with Lawley insurance to review the new health insurance rates for 2023.

Comprehensive Plan. Kick-off meeting held on September 29, 2022 was well attended. Survey is now live on the website and will remain open through November. The plan is to send out postcards to all residents containing a QR code and website information for the survey. Information will also be included on where hard copies can be obtained for those without internet access. Copies will be available at both the Town and Village offices as well as the Mayville and Smith Memorial libraries. The cost to print postcards is estimated to be no more than \$5,000.00 which will be split equally between the Town and Village.

Capital Project update report submitted by Ramboll and filed in the Clerk's office.

Sewer District 1 Extension North- Engaged legal subconsultant to obtain required easements.

KHEOPS started field activities for topographic survey. **Next Steps:** Complete topographic survey and mapping. Complete geotechnical borings along force main route.

Order in Consent- Updated EPA regarding delay of well screen delivery and land acquisition. Next quarterly report due 10/31/22.

Water District 2 Water Source and Extension Currently pending delivery of the supply well screen. Coordinating pipeline easements for waterline. **Next steps:** Develop and test wells pending screen delivery and perform percolation tests for waste bed design. Finalize land acquisition (pending attorney coordination). Coordinate with NYSDOH for comments on approval package submitted 7/6/2022. Complete water supply permit-pending development and testing.

Point Chautauqua Map Plan and Report - Draft report distributed to the Town 9/23/22 for review. Next steps: Incorporate Town's comments and finalize report.

Public Comments- Non-Agenda Items:

None.

Agenda:

Electrical Inspector

The Board reviewed a request submitted to the Code Enforcement office to perform electrical inspections in the Town of Chautauqua along with the required certifications pursuant to Section 10 of the Municipal Home Rule Law and Section 74-5(D) of the Code of the Town of Chautauqua.

Motion made by Councilman Al Akin to approve Jeff Ruch of Certified Power Inspections, LLC as a third-party electrical inspector for the Town of Chautauqua. All requirements have been met and certifications and insurance information is on file in the Code Enforcement Office.

Second: Councilman Scott Cummings

Vote: Supervisor Donald Emhardt – Aye

Councilman Scott Cummings– Aye

Councilman Thomas Carlson – Aye

Councilman Kenneth Burnett – Aye

Councilman Al Akin – Aye

Carried

CMB Gym - Quote for New Outside Doors

A quote received by Plyler Entry Systems replacing the 2 outside entrance doors to the CMB gymnasium was reviewed by the Board.

Motion: by Councilman Thomas Carlson to approve the purchase not to exceed \$9,667.20.

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

Public Hearing- Special Use Permit for We Store It, LLC Storage Building

Recommendations from the Zoning Board for an SUP application submitted by We Store It, LLC to construct a new 70'x104' pole barn storage building located on Mather Rd. was reviewed.

Notice of the public hearing was advertised on the Town's website and published in the Jamestown Post-Journal on September 30, 2022. Notification was also mailed to all neighboring properties.

Motion made by Councilman Scott Cummings to open the public hearing at 7:15p.m.

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

Neighbors, Jesse Kresek and Karen Gross, spoke on their concerns of water run-off stating the current 4-foot elevation of land for the site has put their property under water causing pressure cracks in their homes. In addition, there appears to be oil draining off the site into the creek. They contacted Brian Young from the Army Corp. of Engineering who will be investigating this. They are concerned about the safety of their property and want to ensure everything is being done properly.

SUP applicant, Lou Clementi, stated the water run-off is being properly diverted and all drainage was put in place as recommended and approved by Chautauqua County's Soil and Water Department.

Motion made by Councilman Thomas Carlson to close the public hearing at 7:35p.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

Councilman Carlson suggested waiting on any decision from the Board until they could visit the site and observe the water run-off.

Motion made by Councilman Al Akin to review the application again at the next regular meeting on November 14, 2022.

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

Water District 4- Deeds for Roads

Councilman Cumming inquired whether CPL has submitted an updated report on the engineering review. Supervisor Emhardt replied that they haven't, but he did visit the site and all improvements to the water meter and pump vault were completed. Electrical inspection and water flow test was completed. The Board discussed setting up a budget account for the district for future billing purposes once lots are sold. Road easements and legal are still pending.
No action required at this time.

2023 Budget- Preliminary Budget Hearing

Copies of the Preliminary Budget were distributed to the Board with the changes discussed at the September 27, 2022 tentative budget hearing.

Motion made by Councilman Thomas Carlson to set the public hearing for the preliminary budget on Tuesday, October 25, 2022 at 4p.m.

Second: Councilman Al Akin

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

Carried

Non-Agenda Items:

The Board discussed the status of the millings pile along Rte. 430. An agreement is currently being worked out with the Boy Scout Camp to store the remainder of millings until they can purchase them in the spring.

The supervisor's report was made available for review by the Board.

Motion made by Councilman Al Akin to approve the Supervisor's Report for September.

Second: Councilman Kenneth Burnett

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

Carried

Motion made by Councilman Scott Cummings to approve the vouchers as presented to the board for payment. Abstract #010, Voucher # 616-654

Abstract # 010
Deposit of 09/20/2022 – 10/14/2022

Code	Fund	Amount
A	GENERAL FUND – TOWNWIDE	109,649.73
B	GENERAL FUND- OUTSIDE VILLAGE	2,296.79

DA	HIGHWAY FUND – TOWNWIDE	38,088.53
DB	HIGHWAY FUND – OUTSIDE VILLAGE	146,906.84
H3	SEWER DISTRICT 1- FM AND PS	1,309.50
H4-	WATER DISTRICT 2- WELLS/EXTENSION	5,250.00
H5-	SEWER DISTRICT 1 – EXTENSION	2,040.00
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	338.68
SL2-	DEWITTVILLE LIGHTING DISTRICT	348.48
SL4-	BAYBERRY LANDING LIGHTING DIST	22.32
SS1-	CHAUTAUQUA HEIGHTS SEWER DISTRICT	24,237.62
SW1-	CHAUTAUQUA HEIGHTS WATER DISTRICT	855.91
SW3-	CHAUTAUQUA SHORES WATER DISTRICT	21.02

Total: 331,365.42

Second: Councilman Thomas Carlson

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

Carried

Motion made by Councilman Thomas Carlson to adjourn the regular meeting at 7:41 P.M.

Second: Councilman Scott Cummings

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

Carried

Submitted by:
Jessica Emhardt
Deputy Town Clerk

Reviewed and Recorded by:
Rebecca Luba
Town Clerk
Town of Chautauqua