Board Present – Mayor Syper; Trustees: Roush, Perry, Ward, Webb.

Board absent –None.

Others Present – John Crandall; Village Clerk, Jennifer Obert; Village

Treasurer, John Buxton; DPW Superintendent, Dan Engdahl; Chief Water Operator, additional members of the community were present sign in sheet is attached.

Mayor Syper called the Regular Meeting to order at 7:00 p.m.

Pledge to the flag.

**RESOLUTION**: Resolved to approve the minutes of the Public Hearing/Organizational/Regular Meeting of the Board of Trustees of the Village of Mayville held on April 11, 2023, and Special Meetings held on April 24 and May 1, 2023 with no additions or corrections.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes- Trustees Perry, Roush, Webb, Ward, Mayor Syper.

Nays- None.

Privilege of the floor was offered.

Mayor Syper stated that the Comprehensive Steering Committee Meeting had been cancelled for May.

Scott Cummings explained the reason for the cancellation was due to not having the expected information from the state for discussion.

Department of Public Works Report presented and attached.

Comments were made regarding the recent Open House at the DPW and that it was a great job and much appreciated by those who attended.

Electric Department Report presented and attached.

Water Department Report presented and attached.

Code Report Attached.

It was stated by Code Officer Ken Shearer that there were no current local laws regarding keeping bee hives in the village.

Clerk’s Office Report presented and attached.

Fire Department Report presented and attached.

Trustee Perry asked if the Fire Department had records of any fire inspection that had been done within the village.

Village Clerk John Crandall stated that they do not and that the Code Enforcement office should be able to answer that question.

**RESOLUTION**: **WHEREAS,** the Village of Mayville (Village) is proposing the Village of Mayville Water Supply Improvements Project (Project); and

**WHEREAS,** pursuant to Article 8 of the Environmental Conservation Law, as amended, the New York State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6NYCRR Part 617 (the “Regulations”), the Village desires to comply with SEQRA and the Regulations with respect to the Project; and

**WHEREAS,** pursuant to the State Environmental Quality Review Act (“SEQRA”) and the implementing regulations at 6 NYCRR Part 617, the Village of Mayville previously completed the SEQRA process and passed a Negative Declaration for the proposed Project in April 2021;

**WHEREAS**, the previously reviewed project scope included investigations for a new groundwater source to replace the Village’s existing Wells 1 and 3. If a new groundwater source is not located, new treatment equipment would be constructed adjacent to both existing wells to treat PFNA contamination so that the wells can remain in use;

**WHEREAS**, the Project now includes the replacement of several miles of water main at various locations throughout the Village in addition to the original scope;

**WHEREAS,** the Village of Mayville Village Board, as Lead Agency, has updated the Parts 1, 2, and 3 of the Full Environmental Assessment Form (FEAF) to reflect the change in project scope, and subsequently notified all Interested and Involved agencies of the amendments made to the project, in support of re-issuing a Determination of Significance;

**WHEREAS,** pursuant to the SEQRA Regulations, the Village of Mayville Village Board, as Lead Agency, considered the significance of the potential environmental impacts of the amended Project by (a) using the criteria specified in Section 617.7 of the SEQRA Regulations, (b) examining the amended FEAF for the Project, including the facts and conclusions in Parts 1, 2 and 3 of the FEAF and Part 3 Evaluation Document, together with other available supporting information, to identify the relevant areas of environmental concern, and (c) thoroughly analyzing the identified areas of environmental concern:

**NOW, THEREFORE, BE IT RESOLVED,** that the Village of Mayville Village Board has amended Parts 1, 2, and 3 of the FEAF for the Project; and it is further

**RESOLVED,** that the Village of Mayville Village Board has completed a review of the amended SEQRA FEAF documents and confirms that the project is a Type I Action which has been determined will not have any significant adverse impact on the environment as provided in the amended FEAF documents attached hereto and hereby made a part thereof; and it is further

**RESOLVED,** that the Mayor of the Village of Mayville is hereby authorized to take all actions, serve all notices, and complete all documents in order to give full force and effect to this amended SEQRA process; and

**BE IT FURTHER RESOLVED,** that this Resolution shall take effect immediately.

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

Introduced by Trustee Ward.

Seconded by Trustee Perry.

Vote as follows

Trustee Roush Aye.

Trustee Perry Aye.

​ Trustee Ward Aye.

​ Trustee Webb Aye.

Mayor Syper Aye.

**RESOLUTION**: Resolved that the Village of Mayville Workplace Violence Prevention Policy prohibited conduct portion has been reviewed and amended by the Village Board of Trustees copy attached.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes- Trustees Perry, Roush, Webb, Ward, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved that the Village of Mayville Sick Time Policy has been reviewed and amended by the Village Board of Trustees copy attached.

Introduced by Trustee Webb.

Seconded by Trustee Perry.

Ayes- Trustees Webb, Perry, Roush, Ward, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved that the starting rate for lifeguards at the Village of Mayville Beach shall be $15.00 per hour for the 2023 summer season.

Introduced by Trustee Webb.

Seconded by Trustee Ward.

Ayes- Trustees Webb, Ward, Perry, Roush, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved that the Village Board approves to reimburse any lifeguard that works as a lifeguard for the Village of Mayville’s summer season of June 25, 2023, through August 19, 2023, for their expense to get their Lifeguarding and Waterfront Skills training certificate up to a maximum amount of $170.00, and

Be it further resolved that they must work a minimum of 160 hours during the dates of June 25, 2023, through August 19, 2023, and they must have submitted their receipt for lifeguard and waterfront skills training dated January 1, 2023, or later to the Village Clerk’s office prior to June 25, 2023, and

be in finally resolved that the calculation of hours worked will be figured after the ending date of the beach, August 19, 2023, and payments will be approved by the Board of Trustees at the September 12, 2023, meeting and will be paid to the employees after this approval.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes- Trustees Ward, Roush, Webb, Perry, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to approve the purchase and installation of a new STG 530TI – Single i-Series/Xeon Server at a cost of $7,039.55 from Southern Tier Graphics 280 Tiffany Ave. Jamestown NY 14701 quote attached.

Introduced by Trustee Perry.

Seconded by Trustee Webb.

Ayes- Trustees Perry, Webb, Roush, Ward, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to write off unpaid water in the amount of $896.26 in the water fund and unpaid penalty in the amount of $62.74 in the general fund. This amount is equal to the unpaid Village of Mayville 2022-2023 Village Tax bill in the name of Chautauqua County for the property located at 29 ½ North Erie Street, Mayville, NY (245.19-1-19). This remained unpaid as of October 1, 2022, and was returned to Chautauqua County but wasn’t reimbursed by Chautauqua County when the reimbursement was received on April 6, 2023. This property was in the name of Helen Calhoun but was acquired by Chautauqua County and the water fees are not recoverable by the Village. The unpaid water amount included $456.72 that was unable to be placed on the 2021-2022 Village Tax bill due to NYS Legislature Bill A.625-A/S.1453-B along with $439.54 which was the yearly unpaid amount for the 2022-2023 tax bill.

Introduced by Trustee Roush.

Seconded by Trustee Webb.

Ayes- Trustees Roush, Webb, Perry, Ward, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to approve the following officers of the Mayville Fire Department:

Fire Chief Ryan Hardenburg

1st Asst. Chief Jeffery Dearing

2nd Asst. Chief Robert Parment

3rd Asst. Chief Brandon Tarnowski

Rescue Squad Captain Jennifer Guttman

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes- Trustees Perry, Ward, Roush, Webb, Mayor Syper.

Nays- None.

**RESOLUTION**:

Resolved to approve the payment of $335.00 to Hamzah Abu Muilesh of 69 S Erie Street for the cost of parts purchased to repair his 2013 Dodge Dart that was struck by the DPW Bucket Truck while it was parked in a parking lot Vehicle Damage Claim Form is attached.

Introduced by Trustee Roush.

Seconded by Trustee Ward.

Ayes- Trustees Roush, Ward, Webb, Perry, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to surplus one HP Office Jet Pro 6830 Printer and dispose of in the best interest of the village property record 1322 is attached.

Introduced by Trustee Ward.

Seconded by Trustee Webb.

Ayes- Trustees Ward, Webb, Perry, Roush, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to approve the following Budget Transfers

**Increase**

A0-1620.100 Building, Salaries $ 2,000.00

A0-6989.400 Economic Development $ 4,650.00

A0-8010.400 Zoning, Other Expense $ 250.00

**Decrease**

A0-1990.400 Contingent $ 6,900.00

**Increase**

F0-1420.400 Law, Other Expenses $ 2,500.00

**Decrease**

F0-9010.800 State Retirement $ 2,200.00

F0-9040.800 Workers Compensation $ 300.00

Introduced by Trustee Roush.

Seconded by Trustee Perry.

Ayes- Trustees Roush, Perry, Ward, Webb, Mayor Syper.

Nays- None.

**RESOLUTION**: Resolved to approve payment of bills for Abstract #12 as follows:

General Fund $128,126.68

Water Fund $ 33,117.02

Electric Fund $166,413.37

Capital-Water Project $ 1,500.00

Be it further resolved that the following transfers to savings are included in these totals.

**Savings**

General Fund $ 20,000.00

Electric Fund $ 40,000.00

Electric Deprecation $ 5,000.00

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes- Trustees Perry, Ward, Roush, Webb, Mayor Syper.

Nays- None.

Privilege of the floor was offered with no one speaking.

Mayor Syper explained that he Board would be entering Executive Session to discuss legal matters.

Trustee Roush made a motion to enter into Executive Session to discuss legal matters.

Motion is seconded by Trustee Perry

Ayes- Trustees Roush, Perry, Webb, Ward, Mayor Syper

Nays-None

Trustee Perry made a motion to include the Village Clerk into the Executive Session to discuss legal matters.

Motion seconded by Trustee Roush

Ayes-Trustees Perry, Roush, Webb, Ward, Mayor Syper.

Nays-None.

Board discussed the current pending Law Suit against the County of Chautauqua.

**RESOLUTION** Whereas, the Village of Mayville hired Phillips Lytle LLP Attorneys at law to represent the Village of Mayville in filling a claim against the County of Chautauqua regarding to the pollution of the Village of mayville’s water, and

Whereas the crcumstamces have changed over a period of time and that the circumstances of continuing the lawsuit far outweigh any possible advantage to the Village continuing the litagation, and

Now therefore, be it resolved that the Village of Mayville Board of Trustees agrees that the litagation against the County of Chautauqua be discontinued and that the Village attorney take whatever action nessary.

Resolution was introduced by Trustee Ward.

Seconded by Trustee Perry.

Roll Call Vote

Trustee Roush Aye.

Trustee Perry Aye.

Trustee Ward Aye.

Trustee Webb Aye.

Mayor Syper Aye.

**RESOLUTION** Resolved to adjourn the Executive Session and Regular Meeting of the Board of Trustees of the Village of Mayville on Tuesday, May 9, 2023 at 8:36 P.M.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes- Trustees Ward, Roush, Perry, Webb. Mayor Syper.

Nays-None.