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

Trustee Webb absent.

Others Present – John Crandall, Village Clerk; Jennifer Obert, Village Treasurer; John Buxton, DPW Superintendent; Dan Engdahl, Chief Water Operator; Matthew Schumaker, Electric Line Supervisor, additional members of the community were present, sign in sheet is attached.

Meeting called to order at 7:00 p.m.

Pledge to the flag.

**1 RESOLUTION**: Whereas Village Elections were held in November and

Whereas Trustee Syper was elected to serve as Village Mayor and

Whereas Trustee Syper had a remaining term of 2 years in his existing trustee position and

Whereas the Trustee position needs to be filled and

Now be it resolved to appoint Daniel Roush who resides at 35 East Evans Street Mayville, NY as Village Trustee with a term beginning with the approval of this resolution and ending on December 31, 2023 and

Be it finally resolved that a Special Election will take place in November of 2023 to fill the remaining full year of Trustee Syper’ s term.

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustee Perry, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

Newly appointed Trustee Roush was sworn in by the Village Clerk and joined the other members of the Village Board at the front table.

Mayor Syper appoints Daniel Roush as Deputy Mayor effective January 10, 2023 thru December 31, 2023.

Privilege of the floor was offered with no one speaking.

Devon Taylor Village Historian read his annual report to those present. The Village Board Members thanked Devon for the great job and his commitment to the Village in preserving our history, and community service.

Department of Public Works Report attached.

Electric Department Report attached.

Water Department Report attached.

Building Permit report attached.

Clerk’s Office Report attached.

Fire Department Report attached.

Mayor Syper appoints Peter D. Clark as Village Attorney.

**2 RESOLUTION**: Resolved to confirm the appointment of Peter D. Clark as Village Attorney.

Introduced by Trustee Ward.

Seconded by Trustee Perry.

Ayes –Trustees Ward, Perry, Roush, Mayor Syper.

Nays – None, Trustee Webb Absent.

Mayor Syper appoints John G. Crandall as Village Clerk, Village Registrar, Deputy Village Treasurer and Records Management/Access Officer.

**3 RESOLUTION**: Resolved to confirm the appointment of John G. Crandall as Village Clerk, Village Registrar, Deputy Village Treasurer and Records Management/Access Officer.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

Mayor Syper appoints Jennifer L. Obert as Village Treasurer, Deputy Village Clerk, Deputy Village Registrar and Deputy Records Management/Access Officer.

**4 RESOLUTION**: Resolved to confirm the appointment of Jennifer L. Obert as Village Treasurer, Deputy Village Clerk, Deputy Registrar and Deputy Records Management/Access Officer.

Introduced by Trustee Roush.

Seconded by Trustee Perry.

Ayes – Trustees Roush, Perry, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

Mayor Syper appoints John D. Buxton as Village Department of Public Works Superintendent.

**5 RESOLUTION**: Resolved to confirm the appointment of John D. Buxton as Village Department of Public Works Superintendent.

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustees Perry, Ward, Roush, Mayor Syper.

Nays – None, Trustee Webb Absent

**6 RESOLUTION**: Resolved to appoint the following members of the Village Board and Community to the Comprehensive Plan Steering Committee effective upon the passing of this resolution list as follows

Scott Cummings- Town Board, [scummings@townofchautauqua.com](mailto:scummings@townofchautauqua.com)

Tom Carlson- Town Board, [tcarlson@townofchautauqua.com](mailto:tcarlson@townofchautauqua.com)

Rick Syper- Village Board, [mayvilleMayor@netsync.net](mailto:mayvillemayor@netsync.net)

Dan Roush- Village Board, [trusteeroush@gmail.com](mailto:trusteeroush@gmail.com)

Jessica Emhardt- Town Office, [JEmhardt@townofchautauqua.com](mailto:JEmhardt@townofchautauqua.com)

Sorena Gilkinson- Chamber of Commerce, [sorena.gilkinson@era.com](mailto:sorena.gilkinson@era.com)

Mary Schiller- Chairperson Village Zoning Board of Appeals, [maryschiller@gmail.com](mailto:maryschiller@gmail.com)

Mark Smith- Chairperson Village Planning Board, [Smith14757@gmail.com](mailto:Smith14757@gmail.com)

Julie Lescynski- Town, [julski2010@hotmail.com](mailto:julski2010@hotmail.com)

Russell Boehner- Town/Chautauqua Institution Property Owners Association, [russ.boehner@gmail.com](mailto:russ.boehner@gmail.com)

Sharon Smead- Village, [smead.compplan@gmail.com](mailto:smead.compplan@gmail.com)

Tim Hull- Town/Town Justice, [timhull@netsync.net](mailto:timhull@netsync.net)

Zach Stahlsmith- Chautauqua Lake Central School, [zachstahlsmith1@gmail.com](mailto:zachstahlsmith1@gmail.com)

Hank Navarro- Village, [redz7101@hotmail.com](mailto:redz7101@hotmail.com)

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**7 RESOLUTION**: Resolved to appoint the following Village Board Members to serve on the following committees for the year 2023

Committees:

Fire Department: Mayor Syper, Trustee Ward

Water: Mayor Syper, Trustee Ward

Electric: Trustee Webb, Trustee Perry

Highway: Trustee Perry, Trustee Roush

Personnel: Mayor Syper, Trustee Roush

Payroll: Mayor Syper, Trustee Webb

Insurance: Mayor Syper, Trustee Roush

Park: Trustee Webb, Trustee Perry

Youth Recreation: Trustee Webb, Trustee Roush

Special Events: Trustee Perry, Trustee Ward

Zoning: Trustee Perry, Trustee Ward

Planning: Trustee Webb, Trustee Ward

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

Trustee Ward made a motion to group resolutions number 8 thru number 20 and have the board approve with one singular vote.

Motion was seconded by Trustee Perry.

Vote as follows

Ayes – Trustees Ward, Perry, Roush, Mayor Syper.

Nays – None Trustee Webb absent.

Trustee Perry Made the motion to vote in favor of resolutions 8 thru number

20.

Motion was seconded by Trustee Roush.

Vote as follows

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

**8 RESOLUTION**: Resolved that the Village Board of Trustees shall constitute the Board of Cemetery Commissioners.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**9 RESOLUTION**: Resolved that the Post Journal shall be the official newspaper for the Village of Mayville.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**10 RESOLUTION**: Resolved that M&T Bank shall continue to be the official depository of funds for the Village of Mayville and that more detailed resolutions concerning the specifics of this designation are contained in the minutes of the meeting held on April 9, 2002.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**11 RESOLUTION**: Resolved that the Village Mayor, Deputy Village Mayor, Village Treasurer, and Deputy Village Treasurer are authorized to sign the M&T Bank Public Funds Certified Resolution that allows for access and transactions of Village Banking Accounts.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**12 RESOLUTION**: Resolved that the regular board meetings of the Board of Trustees shall be held on the second Tuesday of each month at 7:00 PM

all meeting shall be held in the Carlson Community Center, with a meeting review proceeding at 6:00 PM. Notice of meeting dates shall be given to the Official Newspaper.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**13 RESOLUTION**: Resolved that a Protective Bond be purchased for the Village Treasurer and the Deputy Treasurer in an amount sufficient to meet legal requirements, in effect for one year.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**14 RESOLUTION**: Resolved that the mileage rate for Village officials be equal to the Federal IRS Standard mileage rate posted and updated throughout the year for the approved use of a personal vehicle.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**15 RESOLUTION**: Resolved that the Village Board has reviewed all Policies and programs contained in the Village of Mayville Employee Handbook and all are approved for the following year.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**16 RESOLUTION**: Resolved that the Procurement Policy for goods and services, which was adopted on December 10, 1991, and amended on February 9, 2021 has been updated and reviewed.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**17 RESOLUTION**: Resolved that the Fund Balance Policy, which was adopted on October 14, 2014 has been reviewed.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**18 RESOLUTION**: Resolved that the Investment Policy, which was adopted on November 18, 1997, and amended on 4/11/00 and 11/13/12 has been reviewed.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**19 RESOLUTION**: Resolved that the Mayor is hereby authorized to hire the Day Camp Director and Aquatics Director and that the Day Camp Director and the Aquatics Director are hereby authorized to hire the staff.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**20 RESOLUTION**: Resolved that the Village Treasurer is hereby authorized to make payment in advance of audit of claims for the following: utilities, postage and shipping charges, bond or BAN payments, payroll, deposits or fees to attend conferences or seminars approved by the Mayor, payments already established by contract.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**21 RESOLUTION**: Resolved that the Village of Mayville Board of Trustees has reviewed the Village of Mayville Covid 19 Sick Time Pay Policy and it shall be reviewed again in one year.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes – Trustees Ward, Roush, Perry, Mayor Syper.

Nays – None, Trustee Webb absent.

**22 RESOLUTION**: Resolved that the Code of Ethics Policy that was adopted December 7, 1970 by the Village Board of Trustees is hereby rescinded and will be replaced with a new policy to be adopted by the Village Board of Trustees on January 10, 2023.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**23 RESOLUTION**: WHEREAS, article 18 of the General Municipal Law prohibits the officers and employees of a municipality from having certain conflicts of interest, and

WHEREAS section 806 of the General Municipal Law requires the governing body of each county, city (other than the City of New York), town, village, school district and fire district1 to adopt a code of ethics that sets forth for the guidance of its officers and employees standards of conduct reasonably expected of them, and

WHEREAS section 806 of the General Municipal Law also authorizes the governing body of any other municipality to adopt such a code of ethics, and

WHEREAS, a code of ethics adopted by the governing body of a municipality must set forth standards of conduct for the guidance of the officers and employees of the municipality with respect to disclosure of interests in legislation before the local governing body, holding of investments in conflict with official duties, private employment in conflict with official duties, future employment, and such other standards as may be deemed advisable.

NOW, THEREFORE, be it resolved that the Board of Trustees of the

Village of Mayville hereby adopts a Policy Code of Ethics of the Village of Mayville copy attached.

Introduced by Trustee Ward.

Seconded by Trustee Perry.

Ayes –Trustees Ward, Perry, Roush, Mayor Syper.

Nays – None, Trustee Webb Absent.

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**24 RESOLUTION** Resolved to approve the minutes of the Regular Meeting of the Board of Trustees of the Village of Mayville held on December 5,2022 and Special Meeting held on January, 5, 2023 with no additions or corrections.

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustee Perry, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

**25 RESOLUTION** Trustee Roush moved the following Resolution:

RESOLVED**,** thatthe Village Board hereby introduces Local Law **“**1-2023 VILLAGE OF MAYVILLE PROPERTY TAX LEVY LAW”for the Village of Mayville, as set forth and attached hereto and made a part hereof;

NOW, THEREFORE, BE IT FURTHER RESOLVED**,** that the Village of Mayville will hereby set a Public Hearing on the 14th day of February, 2023 at 6:50 PM at the Carlson Community Center, Mayville, NY in order to elicit the comments of the public regarding the proposed Local Law copy is attached.

The Resolution was seconded by Trustee Ward.

The vote was as follows:

Trustee Ward Aye.

Trustee Perry Aye.

Trustee Roush Aye.

Mayor Syper Aye.

Nays None.

Trustee Webb absent

**Local Law No. 1 of the year 2023**

Village of Mayville, County of Chautauqua

**A local law authorizing a property tax levy in excess of the limit established in General Municipal Law §3-c**

**Section 1. Legislative Intent**

It is the intent of this local law to allow the Village of Mayville to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the “tax levy limit” as defined by General Municipal Law § 3-c.

**Section 2. Authority**

This local law is adopted pursuant to subdivision 5 of General Municipal Law §3-c, which expressly authorizes a local government’s governing body to override the property tax cap for the coming fiscal year by the adoption of a local law approved by a vote of sixty percent (60%) of said governing body.

**Section 3. Tax Levy Limit Override**

The Board of Trustees of the Village of Mayville, County of Chautauqua, is hereby authorized to adopt a budget for the fiscal year commencing June 1, 2023 that requires a real property tax levy in excess of the amount otherwise prescribed in General Municipal Law §3-c.

**Section 4. Severability**

If a court determines that any clause, sentence, paragraph, subdivision, or part of this local law or the application thereof to any person, firm or corporation, or circumstance is invalid or unconstitutional, the court’s order or judgment shall not affect, impair, or invalidate the remainder of this local law, but shall be confined in its operation to the clause, sentence, paragraph, subdivision, or part of this local law or in its application to the person, individual, firm or corporation or circumstance, directly involved in the controversy in which such judgment or order shall be rendered.

**Section 5. Effective date**

This local law shall take effect immediately upon filing with the Secretary of State.

**26 RESOLUTION** WHEREAS, the Town of Chautauqua (Town) submitted an application with the Village of Mayville (Village) to the Consolidated Funding Application (CFA) for a Smart Growth Comprehensive Plan Project (Project); and

WHEREAS, the total 10% local funding match required by Department of State, pursuant to the Smart Growth Community Planning and Zoning Program, will be split evenly between the Town and Village; and

WHEREAS, the Town agreed to commit 5% of the total project cost in a resolution dated July 11, 2022, in cash and in kind services;

WHEREAS, the Village agreed to commit 5% of the total project cost in a resolution dated July 12, 2022, in cash and in kind services;

WHEREAS, the Town and Village were awarded a grant in the amount of $76,500.00 for the planning and development of the Town of Chautauqua and Village of Mayville Comprehensive Plan;

NOW THEREFORE BE IT RESOLVED, that the Village of Mayville accepts the grant and authorizes the Village Mayor to execute the Grant Agreement with the New York State Department of State and any and all other contracts and documents necessary to bring about the Project and

BE IT FURTHER RESOLVED, that the Village of Mayville Mayor is authorized to coordinate with the Town to fulfill the Village’s obligations under the Department of State’s Smart Growth Comprehensive Planning Grant Application and Agreement.

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustee Perry, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

**27 RESOLUTION**: Resolved to approve a .50 cents per hour increase in pay for Full Time Department of Public Works Laborer Richard M. Eddy effective January 22, 2023 his new rate shall be $16.50 per hour.

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**28 RESOLUTION**: Resolved to write off water account 03-0320.11 in the amount of $369.29 and water account 03-0322.11 in the amount of $369.29 this is due to the purchase of 40 North Erie Street by the Chautauqua County Land Bank Corporation and that the water service has been removed and the current house will be demolished and the water fees are not recoverable by the Village.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes – Trustees Ward, Roush, Perry, Mayor Syper.

Nays – None, Trustee Webb absent.

**29 RESOLUTION**: Resolved to authorize the purchase and installation of an automatic door opening system to be installed at the Carlson Community Center at a cost of $3,261.00 from A Village Locksmith 6926 Erie Rd, Derby, NY 14047 the lowest of the 2 quotes received copies attached.

Introduced by Trustee Roush.

Seconded by Trustee Perry.

Ayes – Trustees Roush, Perry, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**30 RESOLUTION**: Resolved to authorize the Mayor to enter into the standard concession agreement with the Big Fish Collation to hold their Triathlon June 17, 2023, at Lakeside Park with set up beginning on the 16th.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes – Trustees Ward, Roush, Perry, Mayor Syper.

Nays – None, Trustee Webb absent.

**31 RESOLUTION:** Resolved to surplus one Dewalt cordless Combo Kit Drill & Impact property record 1220 and dispose of in the best interest of the Village property record is attached.

Introduced by Trustee Roush.

Seconded by Trustee Perry.

Ayes – Trustees Roush, Perry, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

**32 RESOLUTION:** Resolved that Special Board Meetings to work on the FY 23/24 Budget shall be scheduled for the following dates January 17, 23,24, and 30, 2023 at 5:00PM at the Carlson Community Center West Lake Road Mayville

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustee Perry, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

**33 RESOLUTION:** Resolved to approve the following budget transfers

**Increase**

A0-1010.400 Board of Trustees, Other $ 500.00

A0-8010.400 Zoning, Other $ 150.00

A0-8160.400 Refuse Collection, Other $ 1,500.00

**Decrease**

A0-1990.400 Contingent $ 2,150.00

Introduced by Trustee

Introduced by Trustee Perry.

Seconded by Trustee Ward.

Ayes – Trustee Perry, Ward, Mayor Syper.

Nays – None Trustee Webb absent.

**34 RESOLUTION** Resolved to approve payment of bills for Abstract #8 as follows:

General Fund $215,677.33

Water Fund $ 51,864.56

Electric Fund $173,849.26

Capital-Water Project $ 8,099.09

and that included in the above is the following transfer to savings

General $100,000.00

Water $25,000.00

Electric Depreciation $ 5,000.00

And the following transfer to checking

Electric $ 25,000.00

Introduced by Trustee Perry.

Seconded by Trustee Roush.

Ayes – Trustees Perry, Roush, Ward, Mayor Syper.

Nays – None, Trustee Webb absent.

Privilege of the floor was offered.

Gerry Ruff spoke to the board regarding the great job that the Electric Department and Department of Public Works employees all did during the power outage prior to Christmas, and their commitment to the Village.

Dan Roush thanked Mayor Syper for his appointment to the board and is looking forward to working together for the community. Mr. Roush also stated that if anyone has any questions they may contact him anytime.

Bill Ward also stated that he looks forward to working together with the new members of the board.

Mayor Syper thanked the Village Office for their help in preparing for the new look and presentation of the board meeting.

Matt Shumaker thanked Ken Shearer and Eagle Harrington for their past service on the Village Board.

**35 RESOLUTION** Resolved to adjourn the regular meeting of the Board of Trustees of the Village of Mayville on Tuesday, January 10, 2023 at 7:59.

Introduced by Trustee Ward.

Seconded by Trustee Roush.

Ayes – Trustees Ward, Roush, Perry, Mayor Syper.

Nays – None, Trustee Webb absent.