

**Mayville, NY**

**Regular Meeting**

**January 14, 2019**

**Present:** Supervisor Donald Emhardt, Councilmen Kenneth Burnett, Dave Ward, Thomas Carlson and Scott Cummings. Town Justice, Tim Hull, Town Clerk, Rebecca Luba, Deputy Clerk, Elizabeth Steinbach, Highway Superintendent, Dan Thorsell, Town Historian, Devon Taylor.

**Others Present:** Erin Brickley and Pierre Chagnon of CLWMA(Chautauqua Lake Watershed Management Alliance) Sharon Smead, Sandy and Jeff Wagner

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

**Motion** made by Councilman Thomas Carlson to approve the minutes of 12/10/18 and 12/28/18

**Second:** Councilman Dave Ward

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

**Carried**

**Public Comments:**

None

**Departmental Reports:**

Town Clerk report for December submitted and on file. Monthly fees remitted totaled \$2,596.16; Dog License sales of \$351.00; Conservation sales of \$835.00, Building/Zoning fees of \$650.00 and 3 Marriage license was issued.

Town Clerk's Annual Report was copied and submitted to the Board. Total Receipts for 2018 totaled \$78,547.00 matching Disbursements; 55 Marriage Licenses issued totaling \$2,200.00; Dog License Sales \$6,404.00; Conservation Sales \$18,214.00 with annual commissions being \$877.59; Building/Zoning Fees \$17,472.30

2019 Tax Collection officially began January 7<sup>th</sup> and will continue through February 5<sup>th</sup> penalty free. A 1% penalty will be added February 5<sup>th</sup> through February 28<sup>th</sup> and 2% penalty effective March 1<sup>st</sup> through the end of collection on April 1<sup>st</sup>, 2019.

Reminder that the Community Heart & Soul presentation will be this Thursday in Chautauqua Lake Central School's auditorium at 5:15 P.M.

Historian's Annual Report was submitted and copied for the Board.

Justice Court report submitted and filed in the Town Clerk's office.

Assessor's report submitted and on file. The office is currently in the process of mailing all STAR, Senior and Agricultural exemption renewals. March 1<sup>st</sup> is taxable status date when all

renewal applications must be turned in. Enhanced STAR income level is at \$86,300 with the Senior exemption income limit at \$22,000

Deputy Clerk, Elizabeth Steinbach reported that the Code/Zoning Office issued 9 building permits with project values of \$240,000.00 and 35 permits were closed with project values of \$1,738,013.00.

Highway reported on new speed limit signs installed on Meadows Rd. Replaced old stop signs, new driveway tubes on Canada Rd., organized cold storage building and cleaned up after wind storm on New Year's Eve/Day.

**Public Comment:**

Erin Brickley and Pierre Chagnon of CLWMA requested the board to reconsider renewing their Alliance membership not only to support their mission but also for the direct services being received by the Town through their partnership with the Village of Mayville on the Mayville-Chautauqua Stormwater engineering study. Once this study is complete, the Town and Village will be able to go after CFA funding for implementation of stormwater management. Supervisor Emhardt and Councilman Cummings expressed their concerns with the lawsuits between the members and opposing ideas of lake management. Mr. Chagnon assured the Board that they too are discouraged with the fighting amongst the stakeholders and have no authority over them but they are working on a consensus strategy with the County in which the DEC will be one of the signers.

Town Historian, Devon Taylor, presented the Board with information on the former J.W. & N.W. railroad and electric trolley system (now a paved trail between Sea Lion Drive and East Chautauqua St.) and its historical economic impact on both the Village of Mayville and Town of Chautauqua. He is aware that a new sewer line is going in this area and although the method of installation will most likely not have an effect on the old railroad beds and tower foundation, he would like to make the construction crew aware of their location and ask that they exercise some discretion when working there.

In addition, Mr. Taylor requested that a historical marker be placed where the rail systems crossed each other to help give cultural awareness and appeal to our railroading past.

Information and details of the proposed marker were also presented to the Board.

Councilman, Thomas Carlson stated he would arrange a time for the Historian and construction crew to meet. Councilman Dave Ward offered to help with the construction and placement of the pole for the sign if it would cut costs.

**Motion** made by Supervisor Donald Emhardt to authorize the Town Historian to order the marker as he seems fit not to exceed the estimated price of \$1,500.00.

**Second:** Councilman Thomas Carlson

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

**Carried**

## **Agenda Items:**

A legal was submitted to the Post-Journal on December 19, 2018 requesting bids for a Mobitrac Amphibious 5070 Machine for the Town's lake clean-up. One Bid was received and presented to the Board.

**Motion** made by Councilman Dave Ward to accept the bid submitted by MOBITRAC USA LLC in the amount of \$83,075.00 which includes training and shipping and authorizes the Town Supervisor to sign the necessary paperwork to complete the purchase.

**Second:** Councilman Thomas Carlson

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

### **Carried**

New York State is looking for volunteers to take a stake in their source(s) of public drinking water by participating in a Drinking Water Source Protection Program(DWSP2). This is a four agency initiative co-led by the Department of Environmental Conservation(DEC) and Department of Health(DOH) in collaboration with the Department of Agriculture and Markets(DAM) and Department of State(DOS) that is being launched to provide municipalities with resources and tools to proactively protect drinking water sources. The State will retain and pay for a consult to work with municipalities to update source water assessments and develop a protection plan. Only 30 municipalities will be selected to participate. Applications must be submitted no later than February 15<sup>th</sup>, 2019.

**Motion** made by Councilman Thomas Carlson to authorize the Supervisor to submit an application on behalf of the Town to participate in the Program known as DWSP2.

**Second:** Councilman Thomas Carlson

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

### **Carried**

A revised proposal was submitted by OBG for the water quality evaluation of Water District 2.

**Motion** made by Councilman Scott Cummings to accept the proposal as submitted and authorizes the Supervisor to execute the agreement dated Jan. 14, 2019 not to exceed \$17,700.00.

**Second:** Councilman Kenneth Burnett

**Vote:** Supervisor Donald Emhardt – Aye  
Councilman Thomas Carlson – Abstains (employed by OBG)  
Councilman Kenneth Burnett – Aye  
Councilman Scott Cummings – Aye  
Councilman Dave Ward – Aye

### **Carried**

## **Discussion:**

Supervisor Emhardt is looking to put in for a 2% grant for operations of the Mobitrac. We are moving ahead with the mixer and heater for the water tank in Water District 2. We will have a final number on that by our next meeting.

**Motion** made by Councilman Dave Ward to approve the Supervisor’s report for December.

**Second:** Councilman Kenneth Burnett

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

**Carried**

**Motion** made by Councilman Scott Cummings to approve the vouchers as presented to the board for payment. Abstract #013, Voucher #844-901 and Abstract #001, Voucher #001-020

**ABSTRACT # 013**  
**DEPOSIT OF 12/18/2018 - 01/19/2019**

Code	Fund	Amount
<b>Book:</b>	<b>A B DA DB H1 H2 H3 K SF2 SF4 SL1 SL2 SL4</b>	
A	GENERAL FUND - TOWNWIDE	12,142.14
B	GENERAL FUND - OUTSIDE VILLAGE	6,901.10
DA	HIGHWAY FUND - TOWNWIDE	14,460.77
DB	HIGHWAY FUND - OUTSIDE VILLAGE	5,297.92
H3-	SEWER & WATER EXPANSION	545,994.91
SL1-	PT CHAUTAUQUA LIGHT DISTRICT	386.14
SL2-	DEWITTVILLE LIGHTING DISTRICT	460.25
SL4-	BAYBERRY LANDING LIGHTING DIST	35.16
SS1-	CHAUT HEIGHTS SEWER DISTRICT	2,506.52
SW1-	CHAUT HEIGHTS WATER DISTRICT	4,537.83
<b>Total:</b>		<b>592,722.74</b>

ABSTRACT # 001  
DEPOSIT OF 12/21/2018 - 01/15/2019

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Code	Fund	Amount
<b>Book:</b> A B DA DB H1 H2 H3 K SF2 SF4 SL1 SL2 SL4		
A	GENERAL FUND - TOWNWIDE	18,570.74
B	GENERAL FUND - OUTSIDE VILLAGE	110.00
DA	HIGHWAY FUND - TOWNWIDE	11,310.64
SWI-	CHAUT HEIGHTS WATER DISTRICT	105.78
	<b>Total:</b>	30,097.16

**Second:** Councilman Thomas Carlson

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

**Carried**

**Motion** made by Councilman Thomas Carlson to adjourn the regular meeting at 8:12 P.M.

**Second:** Councilman Scott Cummings

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

**Carried**

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Rebecca Luba, RMC  
Town Clerk  
Town of Chautauqua