

VILLAGE OF MAYVILLE
REGULAR BOARD MEETING
1-9-18

Board Present - Mayor Bova; Trustees: Syper, Jacobson, Shearer, Webb.

Board absent - None.

Others Present - John Crandall, Village Clerk; Jennifer Obert, Village Treasurer; John Buxton, Superintendent; Ed Cannon, Code Enforcement; Mark Smith, Devon Taylor, Village Historian, Matt Zarbo, Nate Bush, Janie Raynor, Sharron Smead, Sandralee Wagner, Bryon Conrod.

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

Pledge to the flag.

RESOLUTION: Resolved to approve the minutes of the Regular Meeting of the Board of Trustees of the Village of Mayville held on December 12, 2017 and Special Meeting held on December 15, 2017 with no additions or corrections.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

Ayes- Trustees Syper, Shearer, Jacobson, Webb, Mayor Bova.

Nays- None.

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.

Department of Public Works Report presented and attached.

Electric Department Report presented and attached.

Water Department Report presented and attached.

Building Inspector's Report presented and attached.

Clerk's Office Report presented and attached.

Fire Department Report presented and attached.

Fire Chief Crandall explained to the board that tankers from surrounding departments would be toned out on the first alarm for any structure fire calls during the cold weather and current undetermined leak in the water system, to ensure a water supply as needed. Chief Crandall also stated that XTV-251 (Argo) was tested in the deep snow and it had performed very well as expected.

RESOLUTION: Resolved that the Mayor has presented the Village Board with a copy of the Village of Mayville Tentative Budget for Fiscal Year 2018/19 copy is attached.

Introduced by Trustee Webb.

Seconded by Trustee Shearer.

Ayes- Trustees Webb, Shearer, Jacobson, Syper, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to set the following dates for Special Board Meetings for the purpose of working on the FY 18-19 Village Budget and various topics on January 16th, 24th, 30th February 7th and 20th 2018 all meetings begin at 6:00pm at the Village of Mayville Clerk's Office.

Introduced by Trustee Jacobson.

Seconded by Trustee Webb.

Ayes- Trustees Jacobson, Webb, Shearer, Syper, Mayor Bova.

Nays- None.

RESOLUTION: Trustee Syper, moved the following Resolution:

RESOLVED, that the Village Board hereby introduces Local Law **"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 13th day of February, 2018 at 6:50 PM at the Community Building, Mayville, NY in order to elicit the comments of the public regarding the proposed Local Law.

The Resolution was seconded by Trustee Shearer.

The vote was as follows:

Trustee Shearer Aye.

Trustee Webb Aye.

Trustee Jacobson Aye.

Trustee Syper Aye.

Mayor Bova Aye.

Nays None.

RESOLUTION: The following resolution was offered by Trustee Shearer and seconded by Trustee Webb to wit:

A BOND RESOLUTION, DATED JANUARY 9, 2018, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MAYVILLE, CHAUTAUQUA COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING A WATER SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$6,452,000 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$6,452,000 PURSUANT TO THE LOCAL FINANCE LAW TO FINANCE SUCH PURPOSE, SUCH AMOUNT TO BE OFFSET BY ANY FEDERAL, STATE, COUNTY AND/OR LOCAL FUNDS RECEIVED, AND DELEGATING THE POWER TO ISSUE BOND ANTICIPATION NOTES IN ANTICIPATION OF THE SALE OF SUCH BONDS TO THE VILLAGE TREASURER.

WHEREAS, the Village Board of Trustees of the Village of Mayville, in the County of Chautauqua, New York (the "Village") desires to undertake a capital improvements project for the reconstruction of and construction of improvements to the Village Water System; and

WHEREAS, the Village has received notification from the New York State Environmental Facilities Corporation that they are expected to receive grant funds in the approximate amount of \$3,000,000 for the project; and

NOW THEREFORE,

BE IT RESOLVED, by the Village Board of Trustees (by the favorable vote of not less than two-thirds of all the members of the Board of Trustees) as follows:

The Village is hereby authorized to undertake a certain water system capital improvements project, such work to generally consist of (but not be limited to) the installation of approximately 18,900 linear feet of water main along various roads in the Village, improvements to the existing water treatment building, construction of a new treatment building and well site, replacement of water meters and hydrants, construction of a booster pump station, and the installation of a new water storage tank, as well as other improvements as more fully identified in (or contemplated by) a preliminary engineering report prepared by Barton & Loguidice, D.P.C., and including all preliminary work and necessary equipment, materials, and related site work and any preliminary costs and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the "Purpose"). The estimated maximum cost of the Purpose is \$6,452,000.

SECTION 2. The Village Board of Trustees plans to finance the estimated maximum cost of the Purpose by the issuance of serial bonds of the Village in an aggregate principal amount not to exceed \$6,452,000, hereby authorized to be issued therefor pursuant to the Local Finance Law, such amount to be offset by any federal, state, county and/or local funds received including, but not limited to, an expected grant in the approximate amount of \$3,000,000 administered through the New York State Environmental Facilities Corporation. Unless paid from other sources or charges, the cost of such improvements is to be paid by the levy and collection of taxes on all real property in the Village to pay the principal of said bonds and the interest thereon as the same shall become due and payable.

SECTION 3. It is hereby determined that the Purpose is a class of objects or purposes described in subdivision 1 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 40 years.

SECTION 4. Current funds are not required to be provided prior to the issuance of the bonds authorized by this resolution or any notes issued in anticipation of the sale of such bonds.

SECTION 5. It is hereby determined the proposed maturity of the obligations authorized by this resolution will be in excess of five years.

SECTION 6. The faith and credit of the Village are hereby irrevocably pledged for the payment of the principal of and interest on such bonds (and any bond anticipation notes issued in anticipation of the sale of such bonds) as the same respectively become due and payable. An annual appropriation will be made in each year sufficient to pay the principal of and interest on such bonds or notes becoming due and payable in such year. Unless paid from other sources or charges, there will annually be levied on all the taxable real property of the Village a tax sufficient to pay the principal of and interest on such bonds or notes as the same become due and payable.

SECTION 7. Subject to the provisions of this resolution and of the Local Finance Law, and pursuant to the provisions of Section 21.00 relative to the authorization of the issuance of bonds with substantially level or declining annual debt service, Section 30.00 relative to the authorization of the issuance of bond anticipation notes and of Section 50.00, Sections 56.00 to 60.00, Section 62.00, Section 62.10, Section 63.00, and Section 164.00 of the Local Finance Law, the powers and duties of the Village Board of Trustees pertaining or incidental to the sale and issuance of the obligations herein authorized, including but not limited to authorizing bond anticipation notes and prescribing the terms, form and contents and details as to the sale and issuance of the bonds herein authorized and of any bond anticipation notes issued in anticipation of said bonds, and the renewals of said notes, are hereby delegated to the Village Treasurer, the chief fiscal officer of the Village. Without in any way limiting the scope of the foregoing delegation of powers, the Village Treasurer, to the extent permitted by Section 58.00(f) of the Local Finance Law, is specifically authorized to accept bids submitted in electronic format for any bonds or notes of the Village.

SECTION 8. The temporary use of available funds of the Village, not immediately required for the purpose or purposes for which the same were borrowed, raised or otherwise created, is hereby authorized pursuant to Section 165.10 of the Local Finance Law, for the purpose or purposes described in Section 1 of this resolution. The Village then reasonably expects to reimburse any such expenditures (to the extent made after the date hereof or within 60 days prior to the earlier of (a) the date hereof or (b) the date of any earlier expression by

the Village of its intent to reimburse such expenditures) with the proceeds of the bonds authorized by Section 2 of this resolution (or with the proceeds of any bond anticipation notes issued in anticipation of the sale of such bonds). This resolution shall constitute the declaration (or reaffirmation) of the Village's "official intent" to reimburse the expenditures authorized by Section 2 hereof with such bond or note proceeds, as required by United States Treasury Regulations Section 1.150-2.

SECTION 9. The Village Treasurer is further authorized to take such actions and execute such documents as may be necessary to ensure the continued status of the interest on the bonds authorized by this resolution, and any notes issued in anticipation thereof, as excludable from gross income for federal income tax purposes pursuant to Section 103 of the Internal Revenue Code of 1986, as amended (the "Code") and may designate the bonds authorized by this resolution, and any notes issued in anticipation thereof, as "qualified tax-exempt bonds" in accordance with Section 265(b)(3) of the Code.

SECTION 10. The Village Treasurer is further authorized to enter into a continuing disclosure agreement with the initial purchaser of the bonds or notes authorized by this resolution, containing provisions which are satisfactory to such purchaser in compliance with the provisions of Rule 15c2-12, promulgated by the Securities and Exchange Commission pursuant to the Securities Exchange Act of 1934.

SECTION 11. The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 12. To the extent applicable, the Village Treasurer is hereby authorized to execute and deliver in the name and on behalf of the Village a project financing agreement prepared by the New York State Environmental Facilities Corporation ("EFC") (the "SRF Project Financing Agreement"). To the extent applicable, the Village Treasurer and the Village Clerk and all other officers, employees and agents of the Village are hereby authorized and directed for and on behalf of the Village to execute and deliver all certificates and other documents, perform all acts and do all things required or contemplated to be executed, performed or done by this resolution or any document or agreement approved hereby, including, but not limited to, the SRF Project Financing Agreement.

SECTION 13. In the absence or unavailability of the Village Treasurer, the Deputy Treasurer is hereby specifically authorized to exercise the powers delegated to the Village Treasurer in this resolution.

SECTION 14. The validity of such serial bonds or of any bond anticipation notes issued in anticipation of the sale of such serial bonds may be contested only if:

1. (a) such obligations were authorized for an object or purpose for which the Village is not authorized to expend money, or
- (b) the provisions of the law which should be complied with as of the date of publication of this notice were not substantially complied with

and an action, suit or proceeding contesting such validity is commenced within 20 days after the date of such publication of this notice, or

2. such obligations were authorized in violation of the provisions of the Constitution of New York.

SECTION 15. This Resolution is subject to permissive referendum pursuant to Section 36.00 of the Local Finance Law. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

SECTION 16. If no petitions are filed in the permissive referendum period, the Village Clerk is hereby authorized and directed to publish this resolution, or a summary thereof, together with a notice in substantially the form provided by Section 81.00 of said Local Finance Law, in a newspaper having a general circulation in the Village and hereby designated as the official newspaper of the Village for such publication.

* * * * *

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

Trustee Shearer Aye.

Trustee Webb Aye.

Trustee Jacobson Aye

Trustee Syper Aye.

Mayor Bova Aye

Nays None.

Absent None.

The foregoing resolution was thereupon declared duly adopted.

RESOLUTION: Resolved that the Social Security and Medicare payments shall be paid by the funds per payroll dollars and not by the yearly percentages.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

Ayes- Trustees Syper, Jacobson, Webb, Shearer, Mayor Bova.

Nays- None.

RESOLUTION: Resolved for the Mayor to sign and forward the contract from Municipal Solutions 62 Main Street, Leroy NY 14482 to act as the Village of Mayville's Financial Advisors for the Village of Mayville's Water Project at a cost not to exceed fifty thousand dollars (\$50,000.00) copy is attached.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

Ayes- Trustees, Syper, Shearer, Jacobson, Webb, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to approve the Mayor to sign and forward a copy of an agreement after review by the Village Attorney with Barton & Loguidice, D.P.C.443 Electronics Parkway Liverpool, NY 13088 to provide engineering services associated with the Mayville Water System Improvement Project at a cost of \$1,273,000.00 copy is attached.

Introduced by Trustee Webb.

Seconded by Trustee Shearer.

Ayes- Trustees Webb, Shearer, Syper, Jacobson, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to surplus thirty-one (31) electric meters and dispose of in the best interest of the Village list attached.

Introduced by Trustee Jacobson.

Seconded by Trustee Shearer.

Ayes- Trustees Jacobson, Shearer, Syper, Webb, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to authorize the following General Fund Budget Transfers
General Fund

Increase

A-1325.2 Clerk - Treasurer, Equipment	\$ 1,400.00
A-3410.2 Fire & Ambulance, Equipment	\$ 12,500.00

Decrease

A-3410.4 Fire & Ambulance, Other	\$ 12,500.00
A-1990.4 Contingent Account	\$ 1,400.00

Water Fund

Increase

f-1680.2 Computer Equipment	\$ 2,000.00
F-8310.2 Water Administration, Equipment	\$ 350.00

Decrease

F-8310.4 Water Administration, Other	\$ 350.00
F-9010.8 State Retirement	\$ 2,000.00

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

Ayes- Trustees, Shearer, Syper, Jacobson, Webb, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to decrease the General Fund Revenue Account A-9999.010 (Balance Reserve Fire & Rescue) by \$2,128.50 and decrease General Fund Appropriative Account A-3410.2 (Fire & Ambulance, Equipment) by \$2,128.50 this is due to the fact that air bottles that are being purchased are \$18,871.50 and the original budget had a total of \$21,000.00 budgeted for this purchase.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

Ayes- Trustees Syper, Jacobson, Webb, Shearer, Mayor Bova.

Nays- None.

RESOLUTION: Resolved to hire Danielle A. Jacobson as Day Camp Director starting February 1, 2018 at a rate of \$18.00 per hour.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

Ayes- Trustees Syper, Shearer, Jacobson, Webb, Mayor Bova.

Nays- None.

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

General Fund	\$150,363.41
Water Fund	\$ 46,318.44
Electric Fund	\$149,467.48

and that included in the above are the following transfers to checking

General	\$50,000.00
Water	\$20,000.00
Electric	\$15,000.00

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

Ayes- Trustees Shearer, Syper, Jacobson, Webb, Mayor Bova.

Nays- None.

Privilege of the floor was offered.

Matt Zarbo representing Barton & Loguidice spoke to the board and suggestion that a committee be appointed by the village board prior to the start of the Water Project to make decisions on some of the day to day operations that will occur during the project. Mr. Zarbo also introduced Nate Bush as a member of the firm that may be assisting as well on the project. Mr. Zarbo also answered some questions regarding grants from those attending the meeting.

Sandrilee Wagner thanked the board for the job that do as well as the DPW for their hard work during the recent snow storm.

RESOLUTION: Resolved to adjourn the regular meeting of the Board of Trustees of the Village of Mayville on Tuesday, January 9, 2018 at 8:10 p.m.

Introduced by Trustee Shearer.

Seconded by Trustee Webb.

Ayes- Trustees, Shearer, Webb, Syper, Jacobson, Mayor Bova.

Nays- None