

VILLAGE OF MAYVILLE  
PUBLIC HEARINGS/REGULAR BOARD MEETING  
7-13-21

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

Board absent - Trustee Harrington.

Others Present - John Crandall, Village Clerk; Jennifer Obert, Village Treasurer; John Buxton, DPW Superintendent, Joe Calimeri, Village Attorney, additional members of the community sign in sheet is attached.

Mayor Shearer opened the Public Hearing Community Development Block Grant Application at 6:50 p.m.

**RESOLUTION:** Resolved to open the Public Hearing for Community Development Block Grant Applications at 6:53PM on July 13,2021.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

Mayor Shearer opened the Regular Meeting at 7:00 p.m.

Pledge to the Flag

**RESOLUTION:** Resolved to approve the minutes of the meeting of the Board of Trustees of the Village of Mayville held on June 8, 2021 with no additions or corrections.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

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

Nays- None, Trustee Harrington absent.

Privilege of the floor was offered with no one speaking.

Department of Public Works Report presented and attached.

John Buxton gave an update on the Home Town Hero's Memorial at the Mayville Cemetery. It was stated that it was nearing completion and had been placed on to the Village insurance.

Mayor Shearer explained that there would be no beach or Day Camp as a lack of help and Covid restrictions earlier in the year would have made the programs impossible to manage within our current facilities.

Electric Department Report presented and attached.

Water Department Report attached.

Department of Public Works Superintendent John Buxton spoke to those in attendance regarding the random discolored water that has been popping up in some areas of the Village. It was stated that the water department was looking into it to determine what the reason may be.

Building Inspector's Report attached.

Clerk's Office Report presented and attached.

Fire Department Report presented and attached.

Mayor Shearer closed the public hearing Community Development Block Grant Application at 7:17 PM.

**RESOLUTION:** Resolved to close the Public Hearing for Community Development Block Grant Applications at 7:36 PM on July 13, 2021.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to Authorize the Mayor to Sign and Submit any required Community Development Block Grant Application paperwork.

Introduced by Trustee Webb.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to authorize the Village of Mayville to provide a cash match of **\$2,500.00** if awarded a Community Planning Community Development Block Grant.

Introduced by Trustee Webb.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the payment of an additional amount of \$2,282.00 above the original bid price for the Water Department Van due to increases in materials and assembly costs that were out of the control of the manufacturer and

Be it finally resolved that the approval letter be signed and returned to the manufacturer to allow for the completion of the water van copy attached.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the payment of an additional amount of \$3,578.00 above the original bid price for the Electric Department Bucket Truck due to increases in materials and assembly costs that were out of the control of the manufacturer and

Be it finally resolved that the approval letter be signed and returned to the manufacturer to allow for the completion of the Bucket Truck if needed.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the purchase of 38, 40ft. electric poles at a cost of \$16,340.00 (\$430.00each) from Thomasson Company Philadelphia Mississippi, 39350 the lowest quote received copies attached.

Introduced by Trustee

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the deduction of \$8.00 from account HO-8340.200 Capital water and expense to FO-8340.400 Transportation &

Distribution, Other as the amount was denied for payment from grant funds and will be charged to the water account.

Introduced by Trustee Webb.

Seconded by Trustee Jacobson.

Ayes- Trustees Webb, Jacobson, Syper Mayor Shearer.

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to Increase the Water Fund Revenue Account F0-3999.000 Cash Balance by \$2,282.00 and increase the Water Fund Appropriative Account F0-8340.200 Transportation & Distribution, Equipment by \$2,282.00. This is because of the increased cost of the Water Van.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

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

Nays- None, Trustee Harrington absent.

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

**Increase**

A0-3410.200 Fire & Ambulance, Equipment \$ 2,000.00

**Decrease**

A0-3410.420 Fire & Ambulance, Other Expense EMS \$ 2,000.00

Introduced by Trustee Webb.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the following Water Fund budget amendments increase the Water Fund Revenue Account F0-3999.000 Cash Balance by \$10,000.00 and increase the Water Fund Appropriative Account F0-1420.400 Law, Other by \$10,000.00. This is due to increased legal fees from Phillips Lytle to protect the Village's rights concerning costs and damages incurred because of the acts of the County of Chautauqua and the State of New York.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve the following General Fund budget transfers

**Increase**

A0-8160.120 Refuse Collection, Salaries Spring Cleanup \$ 550.00

A0-8160.411 Refuse Collection, Other Spring Cleanup \$ 200.00

**Decrease**

A0-1990.400 Contingent \$ 750.00

Introduced by Trustee Webb.

Seconded by Trustee Jacobson.

Ayes- Trustees Webb, Jacobson, Syper Mayor Shearer.

Nays- None, Trustee Harrington absent.

There was a brief discussion among Board Members and the Village Attorney regarding future Legal Fees regarding Notice of Claim that had been filed with the State and County.

**RESOLUTION:** Resolved to surplus 2 modems that are no longer operational used in the Life Pak's for the Mayville Fire Department and be it finally resolved that they shall be disposed of in the best interest of the Village property records are attached.

Introduced by Trustee Webb.

Seconded by Trustee Jacobson.

Ayes- Trustees Webb, Jacobson, Syper Mayor Shearer.

Nays- None, Trustee Harrington absent.

**RESOLUTION:** Resolved to approve payment of bills for Abstract #2 as follows:

General Fund	\$848,660.62
Water Fund	\$460,347.05
Electric Fund	\$191,846.98
Capital - Water Project	\$ 19,255.15

and that included in the above are the following transfers to savings:

General Fund	\$500,000.00
Water	\$ 75,000.00
Electric Depreciation	\$ 5,000.00

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

General Fund	\$ 70,000.00
Water Fund	\$ 85,000.00
Electric	\$ 30,000.00

Introduced by Trustee Webb.

Seconded by Trustee Jacobson.

Ayes- Trustees Webb, Jacobson, Syper Mayor Shearer.

Nays- None, Trustee Harrington absent.

Privilege of the floor was offered.

Trustee Syper stated that he had responded to a complaint regarding parking issues around his business on Bloomer Road and had gotten a permit and was creating a new parking area.

Mayor Shearer spoke about a possible different type of summer program next year involving possibly the school or possibly Westfield.

There were complaints involving the conditions of a house located at 199 Sea Lion Drive that have been ongoing for years. Mayor Shearer stated that he would look into it with the Town to see if they had any ideas of what could be done to get some sort of resolve to the ongoing issues.

It was stated that the enforcement of local laws was not something that the Village has had much success at in the past.

There was a question asked regarding the operation of the Pops and Floating Stage. It was stated by Mayor Shearer that no performances would take place until a permit was issued by the State.

There were comments regarding the operation of the Floating Stage.

Ms. Arko spoke to those in attendance explaining the reasons that she and others had filed a law suit to limit the operation of the Floating Stage.

Mark Perry asked if the Village had a Code of Ethics Policy that would possibly address some of the issues of Board Members recusing themselves from votes that could be perceived that they had an interest in, and who would be responsible for determining if that person should be able to participate in a vote.

Mayor Shearer stated that he would forward copies of the Village of Mayville's Ethics Policies to Mr. Perry.

Trustee Webb made a motion to enter into Executive Session with the Village Attorney to discuss possible Village Litigation.

Vote followed:

Trustee Jacobson Aye

Trustee Webb Aye

Trustee Harrington Absent

Trustee Syper Aye

Mayor Shearer Aye

Trustee Syper made a motion to end the Executive Session and return to the Regular Meeting.

Vote followed:

Trustee Jacobson Aye

Trustee Webb Aye

Trustee Harrington Absent

Trustee Syper Aye

Mayor Shearer Aye

Resolved to adjourn the Regular Meeting of the Board of Trustees of the Village of Mayville on Tuesday, July 13, 2021 at 8:05 P.M.

Introduced by Trustee Webb.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.