

VILLAGE OF MAYVILLE
PUBLIC HEARINGS/REGULAR BOARD MEETING
2-9-21

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

Board absent - Trustee Harrington.

Others Present - John Crandall, Village Clerk; Jennifer Obert, Village Treasurer; John Buxton, Superintendent, Ed Cannon, Code Enforcement Officer, Joe Calimeri, Village Attorney, Matt Zarbo, B&L Engineering, Bill Boria, County Health Department, additional members of the community sign in sheet is attached.

Matt Zarbo representing B&L Engineering and Bill Boria from the Chautauqua County Health Department spoke to the board regarding possible next steps in treating the existing water in the contaminated water wells, or finding an additional new water source for the Village of Mayville.

Mayor Shearer called meeting to order at 6:53PM.

Pledge to the flag.

Mayor Shearer opened the public Hearing Local Law 1-2021 Tax Cap at 6:53 p.m.

Mayor Shearer opened the Public Hearing Community Development Block Grant Application at 6:53 p.m.

RESOLUTION: Resolved to open the Public Hearing for Community Development Block Grant Applications at 6:53PM on February 9, 2021.

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 minutes of the Regular Meeting of the Board of Trustees of the Village of Mayville held on January 12, 2021, and Special Meeting held on January 18th, 25th and February 1st, and 8th with no additions or corrections.

Introduced by Trustee Jacobson.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.

Bill Boria answered some questions from last month's meeting regarding the chemicals found in the water wells and the possible adverse effects to humans. Mr. Boria spoke about the DEC Draft Report that had been released and the findings of that report regarding test wells and soil samples within the Village. It was stated that small levels of PFNA were found in Mud Creek and very high levels of PFNA were found behind the Town of Chautauqua Municipal building located on Academy Street in the Village. Boria also answered questions from members of the Village Board as well as those in attendance regarding the contaminated water wells.

Privilege of the floor was offered with no one speaking.

Department of Public Works Report presented and attached.

Electric Department Report presented and attached.

Water Department Report presented and 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 presented and attached.

Clerk's Office Report presented and attached.

Fire Department Report presented and attached.

Mayor Shearer closed the public hearing Local Law 1-2021 at 7:35 PM.

RESOLUTION: WHEREAS, the Village Board has conducted a Public Hearing on said proposed Local Law having received the comments of the Public; and,

WHEREAS, the Village Board wishes to move forward with action on the proposed Local Law.

NOW THEREFORE BE IT RESOLVED, that the Proposed Local Law "**VILLAGE OF MAYVILLE PROPERTY TAX LEVY LAW**" is hereby adopted as set forth and attached hereto.

The Resolution was introduced by Trustee Webb.

And seconded by Trustee Jacobson.

The vote was as follows:

ROLL CALL:

Trustee Webb Aye.

Trustee Jacobson Aye.

Trustee Harrington Absent.

Trustee Syper Aye.

Mayor Shearer Aye.

Local Law No. 1 of the year 2021

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, 2021 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, 2021 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

Mayor Shearer asked if anyone had any questions or comments regarding the Community Development Block Grant that the Village would be applying for.

There were no comments or questions asked.

Mayor Shearer closed the public hearing Community Development Block Grant Application at 7:36 PM.

RESOLUTION: Resolved to close the Public Hearing for Community Development Block Grant Applications at 7:36 PM on February 9, 2021.

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 Mayor to Sign and Submit any required Community Development Block Grant Application paperwork.

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 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 that the Village of Mayville created and adopted this Civil Rights Policy to conform to standards set forth by NYS Homes and Community Renewal, which oversees administration of the federal CDBG program.

This policy will be in compliance with the following statutes, regulations and Executive Orders:

∅ Title IV of the Civil Rights Act of 1964 (42 USC 2000d et seq. 24 CFR Part 1)

∅ The National Affordable Housing Act of 1990 (42 USC 12832)

∅ The Rehabilitation Act of 1973, Section 504, as amended (29 USC 794)

∅ 24 CFR Part 8

∅ The Age Discrimination Act of 1975 (42 USC 6101 et seq.)

∅ Executive Order 11246, as amended by Executive Order 11375

∅ Title VIII of the Civil Rights Act of 1968 (42 USC 3601 et seq.), as amended by the Fair Housing Amendments Act of 1968 [the Fair Housing Act]

∅ Executive Order 11063, as amended by Executive Order 12259

∅ Section 3 of the Housing and Community Development Act of 1968, as amended

In accordance with the above statutes, regulations and Executive Orders, the Village of Mayville will adhere to the following policy in the implementation of its CDBG funded programs:

The Village of Mayville will not exclude participation from, deny program benefits to, or discriminate in awarding program funds to any person based on race, color, national origin, religion, sex, age, sexual orientation or disability. Furthermore, the Village will take affirmative steps to accommodate the varying needs of disabled/handicapped individuals in order to afford equal access to any CDBG funded program.

With respect to employment opportunities, the Village of Mayville will promote equal opportunity to the above groups as well as Minority and Woman Owned Business Enterprises in the procurement of goods and services required to implement a CDBG program. Furthermore, to the greatest extent feasible, the Village will promote the procurement of services to firms owned or that employ substantial numbers of low and moderate income persons, as well as firms that are located in the Village's local service area.

With respect to fair housing practices, the Village will take necessary actions to promote fair housing and prevent housing discrimination in the implementation of the Village's housing program.

Introduced by Trustee Jacobson.

Seconded by Trustee Syper.

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

Nays- None, Trustee Harrington absent.

RESOLUTION: Resolved that the Village of Mayville does hereby adopt the following Fair Housing Policy Prohibiting Discrimination in Housing

Section One

Title VIII of the Civil Rights Act of 1968 (Fair Housing Act), as amended, prohibits discrimination in the sale, rental, and financing of dwellings, and in other housing-related transactions, based on race, color, national origin, religion, sex, familial status (including children under the age of 18 living with parents or legal custodians, pregnant women, and people securing custody of children under the age of 18), and disability.

The People of the State of New York have in the New York State Constitution, Article IX, Section 2, delegated the responsibility to local government units to adopt regulations designed to promote the public health, safety and general welfare of its citizenry. Therefore, be it enacted by the Village Board of the Village of Mayville, Chautauqua County, New York, as follows.

Section Two

Purpose

For the purpose of providing and ensuring fair housing opportunities for all within the jurisdiction of the Village of Mayville, the Village Board hereby prohibits discrimination on the basis of sex, race, creed, age, familial status, color, national origin, religion, disability (physical or mental), sexual orientation, marital status, military status or victims of domestic or dating violence in the sale, rental, financing, or provision of brokerage services for housing within the jurisdiction of the Village of Mayville.

Section Three

Lands to Which this Policy Applies

This policy shall apply to all areas within the jurisdiction of the Village of Mayville
Introduced by Trustee Webb.
Seconded by Trustee Jacobson.
Ayes- Trustees Webb, Jacobson, Syper, Mayor Shearer.
Nays- None, Trustee Harrington absent.

Trustee Syper made a motion to table the following resolution.
Motion was seconded by Trustee Webb.
Ayes- Trustees Syper, Webb, Jacobson, Mayor Shearer.
Nays- None, Trustee Harrington absent.

RESOLUTION: Resolved to approve the following Tentative Budget Changes FY-21/22

General Tentative Budget Changes FY' 21-22

Increase

A0-9999.020 Reserves for DPW Equipment \$ 200,000.00

Decrease

A0-1001.000	Property Taxes	\$ 20,952.00
A0-1620.200	Buildings, Equipment	\$ 6,000.00
A0-3620.200	Safety Inspection, Equipment	\$ 5,000.00
A0-5010.100	Street Administration, Salaries	\$ 825.00
A0-5110.200	Streets Maintenance - Equipment	\$ 19,250.00
A0-5142.200	Snow Removal - Equipment	\$ 35,750.00
A0-5410.100	Sidewalk, Other	\$ 10,000.00
A0-7140.400	Park, Other	\$ 20,000.00
A0-7510.100	Historian, Salaries	\$ 50.00
A0-8810.200	Cemetery, Equipment	\$ 15,000.00
A0-8810.400	Cemetery, Other	\$ 6,000.00
A0-999.000	Balance on Hand	\$ 296,923.00

Water Fund Tentative Budget Changes FY' 21-22

Increase

F0-2140.000	Metered Water Sales	\$ 10,000.00
F0-8330.400	Purification, Other	\$ 7,625.00

Decrease

F0-3999.000	Cash Balance	\$ 2,375.00
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Electric Fund Tentative Budget Changes FY' 21-22

Decrease

E0-0741.100	Distribution, Supervisor	\$ 650.00
E0-0850.300	Operation Property Additions	\$ 50,000.00
E0-0999.000	Balance on Hand	\$ 50,650.00

Trustee Syper made a motion to table the following resolution.

Motion was seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

RESOLUTION: WHEREAS, the Mayor has presented the Village Clerk with the proposed 2021-2022 budget, and

WHEREAS, the Village Clerk has provided copies of the proposed 2021-2022 budget to the Board of Trustees, and

BE IT RESOLVED, to set a public hearing for the proposed 2020-2021 budget for 6:50 p.m. on Tuesday March 9, 2021. Be it further resolved that the Village Clerk shall publish in the official newspaper a notice of said hearing at least five (5) days prior to the hearing.

RESOLUTION: Resolved that the Board of Trustees has reviewed and amended the Village of Mayville Procurement Policy to reflect the current members of the Board of Trustees responsible for purchasing decisions.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.

RESOLUTION: Resolved to surplus 3 transformers and 24 electric meters and dispose of in the best interest of the village list of transformers and meters attached.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

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

Nays- None, Trustee Harrington absent.

RESOLUTION: Resolved to authorize the Mayor to enter into the standard concession agreement with the Mayville/Chautauqua Community Chamber of Commerce to hold their annual Summer Performance Series to be held at Mayville's Lakeside Park beginning July 8th, 2021 and ending August 26th, 2021 from 6:30pm-8:30pm concerts will generally take place on Thursday evenings one performance by the Chautauqua Theater Company shall take place on an evening not yet determined.

Introduced by Trustee Webb.

Seconded by Trustee Jacobson.

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

Nays- None, Trustee Harrington absent.

RESOLUTION: Resolved to authorize the Mayor to enter into the standard concession agreement and Beer and Wine Tent with the 96th Highlanders Pipes and Drums to hold their annual Celtic Festival August 27, 28, 2021, with set up beginning on the 25th and ending on the 30th.

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 #9 as follows:
General Fund \$106,447.29

Water Fund \$503,915.46

Electric Fund \$143,662.39

Capital Water Project \$ 94,171.49

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

Water \$390,000.00

Electric Depreciation \$ 5,000.00

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

Water \$ 90,000.00

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.

Sorena Gilkinson and Sally Andriaccio presented a possible plan that the Mayville Chautauqua Chamber of Commerce has for a proposed Farmers Market this summer located in the area of the Village Green. Copy of their presentation is attached.

RESOLUTION: Resolved to adjourn the meeting of the Board of Trustees of the Village of Mayville, New York held on February 9, 2021 at 7:55 p.m.

Introduced by Trustee Syper.

Seconded by Trustee Webb.

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

Nays- None, Trustee Harrington absent.