

VILLAGE OF MAYVILLE  
REGULAR BOARD MEETING  
3-13-18

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

Board absent - Trustee Webb.

Others Present - John Crandall, Village Clerk; Jennifer Obert, Village Treasurer; John Buxton, Superintendent; Ed Cannon, Code Enforcement; Mark Smith, Sharon Smead, Matt Schumaker, Line Supervisor.

Meeting called to order at 7:06 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 February 13, 2018 with no additions or corrections.

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

Privilege of the floor was offered with no one speaking.

Motion was made by Trustee Shearer to enter into Executive Session at 7:08pm.  
Seconded by Trustee Syper all Board present agreed.

All members of the board left the room.

7:54 Board Members returned to the meeting room. Motion was made by Trustee Shearer to return to the regular meeting.  
Seconded by Trustee Syper all Board present agreed.

Department of Public Works Report presented and attached.

Electric Department Report presented and attached.

Matt Schumaker explained the installation of the new light poles and fixtures to the members of the board.

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.

**RESOLUTION:** The following resolution was offered by Trustee Syper and seconded by Trustee Jacobson to wit:

**A BOND RESOLUTION, DATED MARCH 13, 2018, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF MAYVILLE, CHAUTAUQUA COUNTY, NEW YORK (THE "VILLAGE"), AUTHORIZING AN ELECTRIC SYSTEM CAPITAL IMPROVEMENTS PROJECT, AT AN ESTIMATED MAXIMUM COST OF \$1,481,204 AND AUTHORIZING THE ISSUANCE OF SERIAL BONDS IN AN AGGREGATE PRINCIPAL AMOUNT NOT TO EXCEED \$1,481,204 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 electric system; 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:

SECTION 1. The Village is hereby authorized to undertake a certain electric system capital improvements project, such work to generally consist of the reconstruction and construction of improvements to the Village electric system including, but not limited to, the installation of a new substation consisting of the installation of various transformers, power lines, junction boxes, circuit breakers, control panels, SCADA system and the installation of a control building, as well as other improvements as more fully identified in (or contemplated by) a preliminary engineering report prepared in connection with such project, 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 \$1,481,204.

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 \$1,481,204, 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. 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 the taxable 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 5 of paragraph (a) of Section 11.00 of the Local Finance Law, and that the period of probable usefulness of such Purpose is 30 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. 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 13. 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 14. 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 15. 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:

AYES: Trustee, Shearer  
Trustee, Jacobson  
Trustee, Syper  
Mayor Bova

NOES: None.

ABSENT: Trustee Webb

**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 Patterson Street Substation Project copy is attached.

Introduced by Trustee Shearer.

Seconded by Trustee Jacobson.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved that pursuant to Village Law, Section 11-1118, unpaid water rents and penalties shall be placed on the corresponding Village real property tax bill if said water rents and penalties in the amount of two dollars (\$2.00) or greater remain unpaid at the close of business on March 26, 2018. A copy as of the end of business March 9th, 2018 of delinquent accounts is attached hereto.

Introduced by Trustee Syper.

Seconded by Trustee Jacobson.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to award bid to construct a pavilion at lakeside park to Duggan & Duggan General Contractor, Inc. 85 W. Main Street, PO Box 5 Allegany, NY 14706 at a cost of \$30,900.00 structure only the lowest qualified bid received bid tabulation is attached.

Introduced by Trustee Shearer.

Seconded by Trustee Jacobson.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to approve that the Village of Mayville Employee Health Care Plan shall be BlueCross BlueShield of Western New York Silver POS 7100 EX administered through Northwest Insurance Services and  
Be it finally resolved that the new plan shall become active on June 1, 2018 thru May 31, 2019.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved that the HSA Policy has been reviewed and updated to reflect the updated amounts in the 2018/19 Healthcare Plan copy attached.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** WHEREAS, the Mayor has presented the Village Clerk with the proposed 2018-2019 budget, and

WHEREAS, the Village Clerk has provided copies of the proposed 2018-2019 budget to the Board of Trustees, and

BE IT RESOLVED, to set a public hearing for the proposed 2018-2019 budget for 6:50 p.m. on Tuesday April 10, 2018. 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.

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved that the amount of \$155.52 will be written from the water account 01-0100.00 tax parcel 262.15-3-21 located at 13 Barton Street and account 02-060.01 tax parcel 262.11-1-25 located at 8 Patterson Street. This is because the property was sold at tax sale on 6/17/17 and these water charges were on the property that was foreclosed upon by Chautauqua County prior to the new owners taking possession.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to surplus the attached list of items no longer in service or unable to be located during inventory and dispose of in the best interest of the Village, property records attached and

Be it finally resolved to surplus one (1) Extendo Bed model #EB1260 Serial# E1590 1200# capacity (no property record exists for the item) and disposed of in the best interest of the village.

Introduced by Trustee Jacobson.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** RESOLUTION: Whereas the Board of Trustees of the Village of Mayville, New York is a municipal member of the Municipal Electric Utilities Association of New York State, and

Whereas, the Semi-Annual Meeting of the MEUA of NYS has been called on April 11 and April 12, 2018 to be held at the Embassy Suites Hotel 6646 Old Collamer Road, East Syracuse NY, 13057 and,

Whereas, in accordance with the bylaws of the MEUA of NYS each municipal member may cast one vote on each transaction properly brought before this meeting,

Now therefor be it resolved, that Matthew Schumaker be and is hereby designated as the accredited delegate of the Village of Mayville, NY

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to approve the installation of a new heating and air-conditioning system to be installed in the upstairs community room at a cost of \$8,700,00 by Ridouts Heating & Cooling 721 Rt. 394 Kennedy, NY 14747 the lowest qualified quote received copies attached and

Be it finally resolved that upon completion and payment of the project that copies of invoices shall be forwarded to the IEEP for reimbursement back to the Village.

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to authorize the Mayor to enter into a standard concession agreement with the July 4<sup>th</sup> Celebration Committee to hold the annual July 4<sup>th</sup> Celebration the Celebration will take place on July 4, 2018 and

Be it finally resolved that The Village of Mayville shall provide insurance coverage for the events at the park and the additional insurance for the fireworks will be provided by the fireworks provider.

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to approve the following budget transfers  
General Fund Budget Transfer FY'17-18

**Increase**

A-1325.2 Clerk - Treasurer - Equipment \$ 150.00  
A-5142.1 Snow - Salaries \$ 10,000.00

**Decrease**

A-1620.1 Building - Salaries \$ 8,000.00  
A-1325.4 Clerk - Treasurer - Other \$ 150.00  
A-7310.1 Youth Recreation - Salaries \$ 2,000.00

Water Fund Budget Transfer FY'17-18

**Increase**

F-8310.2 Water Administration - Equipment \$ 50.00

**Decrease**

F-8310.4 Water Administration - Other \$ 50.00

Introduced by Trustee Shearer.

Seconded by Trustee Syper.

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

Nays- None Trustee Webb absent.

**RESOLUTION:** Resolved to approve payment of bills for Abstract #10 as follows:

General Fund	\$ 159,278.34
Water Fund	\$ 120,050.49
Electric Fund	\$ 274,823.53

Be it further resolved that the following transfers to savings and checking are included in these totals

	Savings	Checking
General		\$ 20,000.00
Water	\$ 10,000.00	
Electric		\$ 15,000.00

Introduced by Trustee Jacobson.

Seconded by Trustee Shearer.

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

Nays- None Trustee Webb absent.

Privilege of the floor was offered with no one speaking

**RESOLUTION:** Resolved to adjourn the regular meeting of the Board of Trustees of the Village of Mayville on Tuesday, March 13, 2018 at 8:18 p.m.

Introduced by Trustee Syper.

Seconded by Trustee Shearer.

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

Nays- None Trustee Webb absent.