

**Regular Village Board Meeting  
and Public Hearing, December 16<sup>th</sup>, 2019**

<b>Present:</b>	<b>John Burrell</b>	<b>Mayor</b>
	<b>Greg Cappelli</b>	<b>Trustee</b>
	<b>Joe DiPasquale</b>	<b>Trustee</b>
	<b>Patra Lowes</b>	<b>Trustee</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Spencer Murray</b>	<b>Trustee</b>
	<b>Mary Klahn</b>	<b>Clerk</b>

**Also Attended:** John Thomas and Gina Hensel.

**PUBLIC HEARINGS:**

**Local Law No. 2-2019**, repealing Local Law No. 1-2018, entitled, “A LOCAL LAW IN REGARD TO LOCAL SEWER USE LAW, AS AMENDED FROM TIME TO TIME.”, and adopting LOCAL LAW NO.2-2019, ENTITLED, “VILLAGE AND TOWN OF ELLICOTTVILLE SEWER SERVICE REGULATIONS”.

**Proposed New Rate Structure for Sewer Billing**

**No one attended the public hearing.**

**Business from the Floor**

**Approve Minutes**

**Motion:** to approve the November 18 minutes by Mr. DiPasquale.

**Second:** by Ms. Lowes All ayes. Carried

Mr. Cappelli questioned comparison lighting from other municipalities? Mr. Pierson has not yet checked into it.

**Water Truck** – make change to minutes that Mr. Pierson is working with both lawyers about the Village assets.

**Joint Meeting with Town Minutes**

**Motion:** to accept the minutes by Mr. Cappelli

**Second:** by Mr. DiPasquale, Ms. Lowes abstained being absent.

**November Financial Report**

**Motion:** by Mr. Cappelli to accept the report.  
**Second:** by Mr. DiPasquale All ayes. Carried

### **Audit of Claims**

**General fund -       \$47,372.76**  
**Water fund -         \$21,633.25**  
**Sewer fund -         \$458,371.72**

**Motion:** by Mr. DiPasquale to accept the Audit of Claims.  
**Second:** by Ms. Lowes All ayes. Carried

### **Mayor's Report**

11/18/2019 Joint Fire Commission Meeting Minutes  
11/30/2019 Small Business Saturday with Senator Borrello, we went to 7 businesses while he was here stated Mayor Burrell

### **Department and Committee Reports for Approval**

#### **Planning Report**

**Motion:** by Mr. Cappelli to accept the Planning report.  
**Second:** by Mr. Murray All ayes. Carried

Some discussion on refuse for 23 Washington Street.

#### **Engineering Report**

**Motion:** to accept the Engineering Report by Mr. Cappelli.  
**Second:** by Mr. DiPasquale All ayes. Carried

Brandon Moore will be returning to Ellicottville during his winter break from RIT. Mr. Pierson said he is going to design a fix for the area they have been working on around the Elk and Mechanic Streets intersection. The area tends to flood during any heavy rains. While they were working in the area with the new sewer truck, they discovered a catch basin that had been covered with debris. Also, the other catch basin tends to fill up with leaves and dirt. Niles said the fix would incorporate the swamp area at the end of Van Buren Place. Mayor Burrell stated that the swamp area is on the National Registry of Wetlands.

#### **Parks – Patra Lowes**

The Tony Hawk Foundation is sending an agreement to the Village ready to sign in January for the Skate Park.

**Beautification – Joe DiPasquale**

Mr. DiPasquale commented on how beautiful all of the lights look this year.

**Sidewalks**

Mill Street

**Special Events**

**Refuse**

**Village Clerk – Mary Klahn**

**Re: A resolution designating Wednesday, March 18, 2020 the day of the village election. Polling Place will be at the Town Center from 12:00 noon until 9:00p.m.**

**Motion:** by Ms. Lowes to accept the resolution designating Wednesday, March 18<sup>th</sup>, 2020 the day of Village Election.

**Second:** by Mr. Murray All ayes. Carried

**Parking tickets**

Ms. Klahn will have them printed and handed out.

**Old Business**

**Sunup Holiday Park** – An on-going problem with the water meters at the Park was discussed. It is a privately owned system with a Master Meter and individual meters on the trailers. The reading on the Master Meter is considerably higher than the sum of all the individual meters. The Village has been charging the owners of the Park the difference. The Village's (soon to be Town's) responsibility stops at the Main Curb Stop. A meeting will be set up with the property owners (Kerls) in an effort to clarify the issue. Niles will set up a meeting with the Kerl's and both lawyers, hopefully before the end of the year.

**Resolution** to accept the proposed local law entitled Re: A LOCAL LAW NO.2-2019, repealing Local Law No. 1-2018, entitled, "A LOCAL LAW IN REGARD TO LOCAL SEWER USE LAW, AS AMENDED FROM TIME TO TIME.", and adopting LOCAL LAW NO.2-2019, ENTITLED, "VILLAGE AND TOWN OF ELLICOTTVILLE SEWER SERVICE REGULATIONS".

**Motion:** by Mr. Cappelli to accept the proposed Local Law #2-2019

**Second:** by Mr. Murray All ayes Carried

**Resolution** to accept the proposed agreement is made and entered into effective the 1<sup>st</sup> day of January, 2020 by the Town of Ellicottville Consolidated Water District No. 1, a

special district of the Town of Ellicottville, a municipal corporation of the State of New York, and the Village of Ellicottville, a municipal corporation of the State of New York in accordance with the following:

**Motion:** by Mr. Murray to accept the proposed agreement of TOWN OF ELLICOTTVILLE CONSOLIDATED WATER DISTRICT NO. 1 AND VILLAGE OF ELLICOTTVILLE

**Second:** by Mr. Cappelli All ayes. Carried

**Resolution** to accept the proposed inter municipal agreement is made and entered into effect the 1<sup>st</sup> day of January, 2020 with the Town of Great Valley.

**Motion:** by Mr. Murray to accept the proposed inter municipal agreement with the TOWN OF GREAT VALLEY.

**Second:** by Mr. Cappelli All ayes. Carried

**Resolution** to accept the proposed inter municipal agreement is made and entered into effect the 1<sup>st</sup> day of January, 2020 with the Town of Mansfield.

**Motion:** by Mr. Cappelli to accept the proposed agreement with the TOWN OF MANSFIELD.

**Second:** by Mr. DiPasquale All ayes. Carried

### **Close Public Hearings**

#### **AMENDING RATES FOR SEWER USAGE IN TOWN AND VILLAGE OF ELLICOTTVILLE**

No one from the floor came to the public hearing.

**Resolved,** by the Village Board of the Village of Ellicottville that, effective December 16, 2019 the quarterly rates for sewer usage in the Village and Town of Ellicottville shall be as follows:

For 0 to 12,000 gallons the rate will be a minimum charge of \$60.00

Other rates attached.

**The resolution was adopted unanimously.**

**Motion:** by Mr. Cappelli to accept the Resolution for sewer rates.

**Second:** by Mr. DiPasquale

**Adopted**      Ayes 5-Burrell, Cappelli, Lowes, DiPasquale and Murray  
Nays -0

### **New Business**

### **Correspondence**

November 2019 NYS Department of Public Service

**Adjournment**

**Motion:** by Mr. DiPasquale to adjourn at 7:00pm.

**Second:** by Mr. Murray All ayes. Carried