

Minutes
Annual Organizational Meeting of the Town Board
Of the Town of Ellicottville
January 4, 2019 at 3:00 PM at the Town Hall

Present:	Matt McAndrew	Supervisor
	Greg Fitzpatrick	Councilman
	Steve Crowley	Councilman
	John Zerfas	Councilman
	Robyn A George	Clerk
	Ken Hinman (3:23pm)	Councilman

The Meeting was called to order at 3:15 PM and the Pledge of Allegiance was led by Supervisor McAndrew.

Resolved, that the Town Board name Five Star Bank, M&T Bank and Cattaraugus County Bank as official Depositories of the Town of Ellicottville for the year 2019.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By John Zerfas

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that the Town Board name Ellicottville Times, The Villager and Olean Times Herald as official newspapers of the Town of Ellicottville for the year 2019.

Motion: By John Zerfas to adopt the above referenced resolution.
Second: By Steve Crowley

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that all Gravel sold to the Town be at State, County or Town bid or less.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution
Second: By Steve Crowley

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick

Aye Steve Crowley
Aye John Zerfas

Resolved, that the 2019 Regular Town of Ellicottville Board meetings be held on the 3rd Wednesday of the month. All regular meetings are to be held at 6:00 PM at the Town Hall.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By John Zerfas.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zerfas

Resolved, that the Supervisor be empowered to pay all utility bills, US Postage Fees, Bonds and BAN's without prior Board approval.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zerfas

Resolved, that the Town Board recognizes the Fire Department's appointments of Fire Chief Rick Ed Fredrickson, Jim Golley 2nd Assistant Chief, and Robert Germain 1st Assistant Chief as Fire Wardens for the Town of Ellicottville for 2019.

Motion: By John Zerfas to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zerfas

Resolved, that the Town Board appoint Robyn George as Registrar and Tracy Stokes, Deputy Registrar of Vital Statistics.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By John Zerfas.

Carried Aye Matt McAndrew

Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas

Resolved, that the annual salaries for the elected Town Officials are to be fixed and paid as follows:

Supervisor	Bi-weekly	\$34,215.00
Deputy Supervisor	Monthly	\$ 6,734.00
Justice	Monthly	\$11,040.00
Justice	Monthly	\$12,068.00
3 Councilmen	Monthly	\$ 4,586.00

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas

Resolved, that the Town Board ratifies the Town Supervisor's appointment of Steve Crowley as the Deputy Supervisor.

Motion: By John Zervas to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas

Resolved, that the Town Board appoint Don Auge as Officer-in-Charge of the Police Department at an annual salary of \$29,000.00 with the understanding that he work an average of 14.5 hours per week.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas

Resolved, that the Town Board set the salary of Harry Weissman, Assessor, at \$37,793.00 per year with office hours 2 days per week.

Motion: By Steve Crowley to adopt the above referenced resolution.

Second: By John Zerfas.

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that the Highway Superintendent, Thomas Scharf be paid an annual salary of \$61,320.00 as agreed upon in 2016.

Motion: By John Zerfas to adopt the above referenced resolution.

Second: By Steve Crowley.

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that the Town Board ratify the Town Highway Superintendents' appointment of Thomas Raab as Deputy Highway Superintendent with an additional \$2.00 per hour which goes with the Deputy position as outlined in the Highway Contract.

Motion: By Steve Crowley to adopt the above referenced resolution.

Second: By Greg Fitzpatrick.

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that the Town Board appoint Tracy Stokes as Summer Recreational Director. The additional pay will be reflected in her hourly rate as indicated in APPENDIX A.

Motion: By John Zerfas to adopt the above referenced resolution.

Second: By Steve Crowley.

Carried	Aye	Matt McAndrew
	Aye	Greg Fitzpatrick
	Aye	Steve Crowley
	Aye	John Zerfas

Resolved, that the Town Board adopt the pay rate schedule as outlined in Attachment A.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zervas

Resolved, that all Part-time Police Officers receive a 2% pay rate increase as indicated in Attachment A.

Motion: By John Zervas to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zervas

Resolved that, as of January 1, 2017 those employees receiving Health Insurance Coverage through the Town shall contribute 50% toward the cost of any increases or decreases until such time as the employee is contributing 20% of the cost of insurance premiums and the Town is contributing 80% of the cost of insurance premiums.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zervas

Resolved, that the Town Board appoint Matt McAndrew and Steve Crowley as official signatories on all the Ellicottville Town Supervisor's banking accounts.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By: John Zervas.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley

Aye John Zerfas

Resolved that the Town Board appoint Matt McAndrew, Steve Crowley and Tracy Stokes (Supervisor's Clerk) as official signatories on the Justice Wire Transfer account.

Motion: by Greg Fitzpatrick to adopt the above referenced resolution.
Second: by John Zerfas.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board appoint the Town Clerk and Deputy Town Clerk as official signatories on the Ellicottville Town Clerks bank account and the Real Property Tax Collection bank account.

Motion: By John Zerfas to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board appoint Robyn George as Town Tax Collector.

Motion: By John Zerfas to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board authorize the Highway Department to purchase petroleum products at State or County bid or less.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew

Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zerfas
Aye Ken Hinman

Resolved, that the Town of Ellicottville reimburse Town Officials for expenses when attending meetings outside the Town on Official Town Business with the approval of the Town Board.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By: John Zerfas .

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Whereas, it is necessary to make application to the Cattaraugus County Youth Bureau, New York State Office of Children and Family Services,

Whereas, it is necessary for the Chief Executive to sign for the Town of Ellicottville now,

Resolved, that the Town Board of Ellicottville does hereby authorize the Supervisor to enter into agreement with the Cattaraugus County Youth Bureau, New York State Office of Children and Family Services to run youth programs for the 2019 program year ending December 31, 2019.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By Greg Fitzpatrick

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board adopt the Town's Investment Policy as follows:

Investment Policy

The objectives of this investment policy of this local government are to minimize risk, to insure that investments mature when the cash is required to finance operations; and to insure a competitive rate of return. In accordance with this

policy, the Chief Fiscal Officer is hereby authorized to invest all funds including proceeds of obligations in;

Certificates of Deposits, savings, money market, issued in a bank or trust company authorized to do business in New York State;

Obligations of the United States Government;

The Town of Ellicottville designates the following Banks;

M&T Bank
Five Star Bank
CCB

Collateral: Certificates of deposit shall be fully secured by insurance of FDIC or by obligations of New York State or obligations of the United States or obligations of Federal Agencies the principal and interest of which are guaranteed by the United States Government;

The Ellicottville Town Board shall review and approve the investment policy at least annually, and if practicable, at its organizational meeting and the members shall review and amend, if necessary these investment policies.

The provisions of these investment guidelines shall take effect prospectively, and shall not invalidate the prior selection of a custodial bank or prior investment.

Motion: by John Zerfas to adopt the above referenced resolution.

Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board authorize the Highway Superintendent to participate in State & County bid prices for materials.

Motion: By Ken Hinman to adopt the above referenced resolution.

Second: By Steve Crowley.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zerfas
 Aye Ken Hinman

Resolved, that the Town Board approve the following Procurement Policy:

Procurement Policy

Whereas, Section 104-B of the General Municipal Law requires every Town to adopt internal policies and procedures governing all procurement of goods and services not subject to the requirements of GML 103 or any other law; and

Whereas, the Town Council has been solicited from their officers of the Town involved with procurement; now, therefore, be it resolved; that the Town does hereby adopt the following procurement policies and the Town does hereby adopt the following procurement policies and procedures:

1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103.
2. All purchases of:
 - a. Supplies or equipment which will exceed \$10,000 in the fiscal year
 - b. Public works contracts over \$30,000 shall be formally bid pursuant to GML 103.
3. All estimated purchases of:

Greater than \$20,000 require a formal bid.
Less than \$20,000 but greater than \$3,000 requires a written request for a responsible formal proposal and written/electronic quotes from 3 vendors.
Less than \$3,000 but greater than \$1,000 requires an oral request for the goods and oral/electronic quotes from 2 vendors.
Less than \$1,000 are left to the discretion of the purchaser.

All estimated public works contracts of:
Less than \$30,000 but greater than \$10,000 require a written formal proposal and electronic/proposals from 3 contractors.
Less than \$10,000 but greater than \$3,000 require a written formal proposal and electronic/proposals from 2 contractors.
Less than \$3,000 are left to the discretion of the purchaser.

All Emergency Commodities for Public Work
Greater than \$10,000 require approval by Department Head and the Town Board.
Less than \$10,000 require approval by Department Head.

All Emergency Contracts Public Work
Greater than \$10,000 require approval from Department Head and Town Board.
Less than \$10,000 require approval from Department Head.

Services (other than Professional)
Greater than \$10,000 shall be formally bid.

Greater than \$5,000 but less than \$10,000 require 3 written quotes.
Greater than \$2,500 but less than \$5,000 require 2 written quotes
Greater than \$500 but less than \$2,500 require 2 documented verbal quotes
Less than \$500 require approval by Department Head

Any written quote shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/electronic/oral quotes offered.

All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

4. The lowest responsible proposal or quotes shall be awarded the purchase or public works contract unless the purchaser prepares a written justification providing reasons why it is in the best interest of the Town and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement. "Best value" is defined for this purpose as a basis for awarding contracts "to the offerer which optimizes quality, cost and efficiency, among responsive and responsible offerers". Therefore, in assessing best value, non-price factors can include, but are not limited to, reliability of a product, efficiency of operation, difficulty/ease of maintenance, useful lifespan, ability to meet needs regarding timeliness of performance, and experience of a service provider with similar contracts.
5. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals. In no event shall the inability to obtain the proposals or quotes be a bar to the procurement.
6. Except when directed by the Town Board no solicitation of written proposals or quotations shall be required under the following circumstances:
 - a. acquisition of professional services
 - b. emergencies
 - c. sale source situations
 - d. goods purchased from agencies for the blind or severely handicapped
 - e. goods purchased from correctional facilities
 - f. goods purchased from another government
 - g. goods purchased for less than \$1,000.00
 - h. public works contracts for less than \$3,000.00
7. This policy shall be reviewed annually by the Town Board at its Organization meeting or as soon thereafter, as is reasonably practicable.

Exceptions

1. The following are exceptions from the terms "purchase" and "contract for public works" and are not subject to the contract execution provisions of this Purchasing Policy, nor shall approval of the Town Board be required, as long as the cost for such expense is budgeted:

- a. Maintenance repairs and parts up to \$5,000.00
- b. Maintenance and service contracts up to \$5,000.00

Piggybacking on Certain Government Contracts

As an alternative to soliciting competition, the Town may "piggyback" on contracts that have been extended to local governments by other governments. Examples of these would include "piggybacking" on County Contracts and certain State contracts for the procurement of commodities, equipment, material, supplies, services and technology. These contracts may include awards for road salt and fuel, vehicles, heavy equipment, computer hardware and software and more.

Motion: By Steve Crowley to adopt the above referenced resolution.

Second: By John Zervas.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zervas
 Aye Ken Hinman

Resolved, that the Town Board appoint Tronconi, Segarra & Associates as the Town's CPA firm and furthermore authorized Supervisor McAndrew to sign an agreement between the Town and Troconi, Segarra & Associates.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.

Second: By Ken Hinman.

Carried Aye Matt McAndrew
 Aye Greg Fitzpatrick
 Aye Steve Crowley
 Aye John Zervas
 Aye Ken Hinman

Resolved that the Town Board authorize the Town Supervisor to renew the annual contract with Lake Shore Employee Drug Testing.

Motion: By John Zervas to adopt the above referenced resolution.

Second: By Steve Crowley.

Carried Aye Matt McAndrew

Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas
Aye Ken Hinman

Resolved, that Planning Board, Zoning Board of Appeals and Assessment Board of Review compensation as listed in APPENDIX B is approved.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Greg Fitzpatrick
Aye Steve Crowley
Aye John Zervas
Aye Ken Hinman

Resolved, that the Town Board appoint Robyn A. George as Town Clerk.

Motion: By Ken Hinman to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Steve Crowley
Aye John Zervas
Aye Greg Fitzpatrick
Aye Ken Hinman

Resolved, that the Town Board ratify the appointment of Tracy Stokes as Deputy Town Clerk and Bookkeeper to the Supervisor.

Motion: By Greg Fitzpatrick to adopt the above referenced resolution.
Second: By Steve Crowley.

Carried Aye Matt McAndrew
Aye Steve Crowley
Aye John Zervas
Aye Greg Fitzpatrick
Aye Ken Hinman

Resolved, that the Town Board re- appoint Caitlin Croft and Margaret Signore to the Town Planning Board.

Motion: By John Zervas to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
 Aye Steve Crowley
 Aye John Zervas
 Aye Greg Fitzpatrick
 Aye Ken Hinman

John Zervas announced his resignation to the Board of Assessment Review.

Motion by Steve Crowley and second by Ken Hinman to accept the resignation of John Zervas with regret and thanks for his years of service to the Board.

Ayes: McAndrew, Hinman, Crowley and Fitzpatrick
Abstain: Zervas

Resolved, that the Town Board re- appoint Norman Kantowski to the Board of Assessment Review.

Motion: By John Zervas to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
 Aye Steve Crowley
 Aye John Zervas
 Aye Greg Fitzpatrick
 Aye Ken Hinman

Resolved, that the Town Board appoint Mike Timkey to the Board of Assessment Review to fulfill the term of John Zervas.

Motion: By John Zervas to adopt the above referenced resolution.
Second: By Greg Fitzpatrick.

Carried Aye Matt McAndrew
 Aye Steve Crowley
 Aye John Zervas
 Aye Greg Fitzpatrick
 Aye Ken Hinman

Resolved, that the Town Board appoint the Chairperson to the Town Planning Board and Town Zoning Board of Appeals on the recommendation of each Board, respectively.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By Ken Hinman.

Carried Aye Matt McAndrew

Aye Steve Crowley
Aye John Zerfas
Aye Greg Fitzpatrick
Aye Ken Hinman

Resolved that the Town appoint Gary Palumbo with the firm of AECOM as the Town's Consulting Planner for 2019. He is appointed with the understanding that the time and materials consulting work will have a \$30,000 not-to-exceed amount at a rate of \$115.00/hour. The Town Supervisor is authorized to sign an agreement with AECOM to that effect.

Motion: By Steve Crowley to adopt the above referenced resolution.
Second: By John Zerfas.

Carried Aye Matt McAndrew
 Aye Steve Crowley
 Aye John Zerfas
 Aye Greg Fitzpatrick
 Aye Ken Hinman

Motion by Ken Hinman and seconded by Steve Crowley to go into executive session at 3:45pm to discuss contract issues. All Ayes. Carried.

Motion by Ken Hinman and seconded by John Zerfas to resume regular session at 4:10 pm. All Ayes. Carried.

Motion by Steve Crowley, seconded by John Zerfas to adjourn the meeting at 4:12pm. All Ayes. Carried

**APPENDIX – A
TOWN OF ELLICOTTVILLE
SALARIES (NON ELECTED)**

BUILDING ENGINEERING

KELLY FREDRICKSON \$53,060.80/YEAR

HIGHWAY DEPARTMENT

THOMAS SCHARF \$61,320.00/YEAR
 BRIAN FULLER \$20.87/HOUR
 TOM RAAB \$22.87/HOUR
 STEVEN HADLEY \$20.87/HOUR
 SHAWN LAFFERTY \$20.87/HOUR
 KEVIN WOODIN \$19.11/HOUR
 CASIMER KENT \$17.50/HOUR

ENGINEER

NILES PIERSON \$115,000.00/YR
 BRANDON MOORE \$15.00/HR

POLICE DEPARTMENT*

DONALD AUGE \$29,000.00/YEAR
 JAMES BOUCHARD \$32.54/HOUR
 LARRY SPRY \$20.31/HOUR
 JUSTIN STORY \$19.76/HOUR
 KELLY BIGOS \$30.54/HOUR
 GARY WIND \$19.76 /HR
 AMBER GRAHAM \$30.54/HR
 CORI KOWALSKI \$18.74/HR
 MATHEW CROSS \$15.92/HR.
 TIMOTHY BLOVSKY \$15.92/HR
 JESSE BARBER \$24.11/HR

CLERKS

ROBYN GEORGE \$29.99/HOUR
 TRACY STOKES \$24.66/HOUR
 DENISE RICHARDS, COURT CLERK \$17.68/HR

HISTORIAN

ME DUNBAR \$3,046.00/YEAR

CLEANER

JUSTIN DINEEN \$17.50/HOUR

ASSESSOR

HARRY WEISSMAN \$37,793.00/YEAR

*Shift differentials may apply

APPENDIX - B TOWN BOARDS

Town Planning Board

	Mike Guercio	12/31/19	\$ 75.00/Mtg.
Vice-Chair	Doc Dayton	12/31/20	\$ 90.00/Mtg.
	Shari Barrera	12/31/21	\$ 75.00/Mtg.
	Gary Mathe	12/31/22	\$ 75.00/Mtg.
Chair	Margaret Signore	12/31/23	\$100.00/Mtg.
	Bonnie Koschir	12/31/24	\$ 75.00/Mtg.
	Caitlin Croft	12/31/ 25	\$ 75.00/Mtg.

Zoning Board of Appeals

Chair	Cindy Dayton	12/31/19	\$100.00/Mtg
	Gail Scheeler	12/31/20	\$ 75.00/Mtg.
Vice-Chair	Darin Wiechman	12/31/21	\$ 90.00/Mtg.
	Kathy McGoldrick	12/31/22	\$ 75.00/Mtg.
	Harry Weissman	12/31/23	\$ 75.00/Mtg.

Board of Assessment Review

Mike Timkey	09/30/19	\$15.00/Hour
Nancy Rogan	09/30/22	\$15.00/Hour
Dan Covey	09/30/21	\$15.00/Hour
Cathy Pritchard	09/30/20	\$15.00/Hour
Norman Kantowski	09/30/23	\$15.00/Hour

Fire Commissioners

John Rogan		12/31/2020
Sean Lowes	V	12/31/2023
Mike Guercio	T	12/31/2021
Mike Timkey	T	12/31/2019
Brooke Szpaicher	V	12/31/2022

I, Robyn George, Clerk of the Town of Ellicottville, County of Cattaraugus, State of NY, do hereby certify that the foregoing constitutes the complete minutes of the Town Board Meeting held on the 4th day of January, 2019, approved by said Board on the 16th day of January, 2019.

Robyn George, Town Clerk