

**Village Board Meeting  
January 21, 2019**

<b>Attended:</b>	<b>John Burrell</b>	<b>Mayor</b>
	<b>Greg Cappelli</b>	<b>Trustee</b>
	<b>Patra Lowes</b>	<b>Trustee</b>
	<b>Joey DiPasquale</b>	<b>Trustee</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Mary Klahn</b>	<b>Clerk</b>

**Also Attended:** John Thomas, Kaitlan Croft, Jack Rogan and Gary Palumbo.

Mayor Burrell called the meeting to order at 6:00pm

**Good News**

Our Chips, Pave New York and WIRP total check was \$28,923.29.

**Business From the Floor**

None

**Approve Minutes**

**Motion:** to approve the December 17<sup>th</sup> minutes by Mr. Cappelli

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

On the NYCOM meeting vote change Ms. Lowes to nay.

**Budget Modifications**

**General Fund**

**From:** A917 Unassigned Fund Balance \$18,188.77

**To:** A1440.41 Engineer Contractual \$17,600.26

A7140.4 Parks Cont. \$106.45

A8510.4 Beautification Cont. \$482.06

**Motion:** to make the budget change of \$18,188.77 by Mr. Cappelli

**Second:** by Mr. DiPasquale Ms. Lowes is abstaining being late information.

**Water Fund**

**From:** F915 Fund Balance Unreserved \$27,805.05

**To:** F1420-4 Attorney Cont. \$410.00

F1440.4 Engineer Cont. \$17,360.78

F8320.4 Power Pump Cont. \$8,640.60

F8320.42 Power Pump Cont. \$677.86

F9040.8 Workman's Comp. \$715.81

**Motion:** to make the budget change of \$27,805.05 by Mr. Cappelli  
**Second:** by Mr. DiPasquale Ms. Lowes is abstaining.

#### **Sewer**

**From:** G915 Fund Balance Unreserved \$24,960.57

**To:** G1440.4 Engineer Cont. \$17,600.27  
G8130.4 Treatment & Disp. \$1,344.52  
G9040.8 Workman's Comp. \$6,015.78

**Motion:** to make the budget change of \$24,960.57 by Mr. Cappelli  
**Second:** by Mr. DiPasquale Ms. Lowes is abstaining.

#### **December Financial Report**

**Motion:** to approve the financial report by Ms. Lowes  
**Second:** by Mr. Cappelli All ayes Carried

#### **Audit of Claims**

**Motion:** to pay the bills by Mr. Cappelli  
**Second:** Ms. Lowes. All ayes. Carried

#### **Mayor's Report**

Joint Fire Commission 11/15/2018 Meeting Minutes

1/05/2019 DRI Meeting – Town Center – good meeting 25 to 30 people.

1/11/2019 R.A. Mercer/Williamson Update – Joint session 1/11/2019 – We had a remote session to get the clerks backup to the server. 1099's were worked on and Jenn Morey had a much better day. Much discussion on the prior bill from Mercers. The board feels that the problems have been thru Williamson Law and Mercer's. We should go back to Mercer's and ask if the problem is resolved and why could it not be resolved earlier. Mayor Burrell and Mr. Cappelli are going to meet with RAMercer and try to come up with a solution.

1/15/2019 Wellhead Protection Meeting

Proposed Elimination of Aim Funding –The Governor's proposed budget eliminates AIM funding, and without that funding, the Village will have to go over the Governor's 2% tax cap. Mayor Burrell will be contacting state Senator Cathy Young and Assemblymen Joe Giglio to see about the alternate funding. The Village received approximately \$9,000 last year.

Town/Village CFA Engineering Grant Update- Mayor Burrell has been sending e-mails with Supervisor McAndrew's permission being we have not received any reimbursement for the grant. Dept of state is looking into it.

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

### **Planning-Nancy Rogan/Gary Palumbo**

#### **Planning Report**

**Motion:** by Mr. DiPasquale to accept the planning report.

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

Joint public hearing will be held on the 5<sup>th</sup> of February 5:00pm at the Town and Village Hall.

### **Engineering-Niles Pierson Engineer's Report**

**Motion:** to approve the Engineering Report by Mr. Cappelli

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

Callahan Hughes has accepted a job with a software firm on the West Coast. Brandon Moore has replaced him and began work on January 7<sup>th</sup>. Mr. Moore will be working on developing a hydraulic model of the Town and Village water system.

### **Lagoon Master Installation-Cost Estimate –**

Mr. Pierson reported he received three bids for the Electrical work on the project – Gerwitz and McNeill is local and lowest bid. \$25,810.00.

**Motion:** to move on with phase 2 and 3 and award the bid to Gerwitz and McNeill by Ms. Lowes

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

**EFC Grant** – There are two grants available that Mr. Pierson wants to apply for. The state has grants for studies regarding the sources of the Town and Village drinking water. The studies would involve the recharge areas for the wells and would model Ellicottville's groundwater. This could result in changes to the master plan if expanding conservation areas in the grant we have been working on. Additional scope of Holiday Valley Line will definitely be included. Niles is meeting with someone tomorrow to strengthen the grant. Another \$30,000 grant is to study the I and I about the problem areas.

I also met with Eric Wolters about a drinking water protection program. Thirty communities will be chosen to look at our recharge areas and ground water modeling. Catt. County Health department will send a consultant to work with our water department. They will look at identifying threats in existing land uses and make

suggestions for town and village to consider. When will it happen? They have not picked the towns yet.

Mr. Pierson has been in touch with a professor with Rochester Institute of Technology who teaches a graduate-level design class. Each year the students take on a design project, and I suggested the Villages DPW building. The project was accepted, and the students will come down here to start the process

New Sewer Truck- I have been researching purchasing an updated sewer truck. The cost is between \$250,000 and \$300,000.

**Motion:** to approve the Resolution approving a fund balance policy by Ms. Lowes.  
**Second:** by Mr. DiPasquale All ayes. Carried

Ms. Lowes asked about Dude Solutions. Mr. Pierson answered that the contract has been signed and it should start in February.

Trustee Lowes about a residents pump on Mechanic Street and asked if there was a way it could be connected to the storm sewer so that it was not running across the sidewalk. Also requesting a plan to the Mechanic Street flooding regarding placement and height of storm sewer catch basins.

Trustee Lowes also stated that people have been requesting that we put sand or gravel beyond the business district. Also, Ms. Lowes continued that there have been a handful of issues with cars parking over the sidewalks in driveways. During the winter months, this makes it difficult to plow and maintain. Ms. Lowes also asked if there is a way to ticket, as it's illegal. This will be enforced in the future. "Also, if we are promoting a 'Walkable Village,' the sidewalks must be plowed properly with no obstructions.

#### **Parks- Patra Lowes**

#### **Beautification – Joe DiPasquale**

#### **Sidewalks**

#### **Special Events – Spencer Murray**

#### **Refuse – Patra Lowes**

Business district cardboard is a problem.

#### **Parking**

#### **Village Clerk – Mary Klahn**

**Request to move February Regular meeting to Tuesday the 19<sup>th</sup>.**

**Motion: by Mr. DiPasquale to change the meeting night.**

**Second: by Mr. Cappelli**

**Local Law Scanning** – Need to do more research to have the capability to index.

**Old Business**

**New Business**

Executive Session to discuss:

- A. The appointment of a Village Attorney
- B. Proposed property sale 24 Rockwell Avenue
- C. Proposed employment contract with Mary Schuster

**Motion:** by Mr. Cappelli to go into executive session

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

**Motion:** to go out of executive session by Mr. DiPasquale

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

**Motion:** to accept the Resolution of the Village of Ellicottville Board of Trustees to Abolish the Village Justice Court, the Village Justice Position, and the Village Court Clerk Position by Mr. Cappelli

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

The court system costs the Village substantially more per year than received in fines. Civil cases from violations within the Village will be adjudicated in the town court, with Village receiving fines relating to Village law. Criminal cases will remain with the Town Court. The Village would receive penalties from parking violations, dog leash laws, open container laws, and short-term rental laws when the Village establishes them.

It is the Boards intention to abolish the position of Village Court Clerk by means of a resolution tonight at the Village Board Meeting. As this position is going to be abolished effective March 31, 2019 we would like to be clear about our intention continuing to employing Mary Schuster in another position with the Village with the title to be determined.

**Motion:** by Ms. Lowes that we will provide an employment contract to Mary Schuster once the Village Court Clerk position is terminated. This contract would run until Mary Schuster reaches retirement age of 62 and could be extended on a year to year basis beyond that. The contracted position would be at the same wages and benefits as her current position and accrued vacation time would remain in place.

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

**Correspondence**

NYS DOT-Cirillo – This year the state will repave Rt. 219 from the eastern Village line all the way to Great Valley.

## **Adjournment**

Motion: to adjourn by Mr. DiPasquale at 8:20pm.

Second: by Mr. Cappelli All ayes. Carried