

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE, DECEMBER 16, 2020 at 6:00 pm  
ELLICOTTVILLE TOWN HALL

<b><u>Present:</u></b>	Matthew McAndrew	Supervisor
	Greg Fitzpatrick	Councilman
	Ken Hinman	Councilman
	John Zervas	Councilman
<b><u>Via phone:</u></b>	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Steve Crowley	Councilman
	Tom Scharf	Highway Superintendent
	Ben Slotman	Town Engineer
	Gary Palumbo	Town Planner
	Don Auge	OIC
	Harry Weissman	Assessor
	Kelly Fredrickson	CEO/Building Inspector

**Others present via phone:** John Thomas- press

**Call meeting to order:**

Supervisor McAndrew called the meeting to order at 6:00pm and led the Pledge to the Flag. The meeting was not open to the public (in person) but could be accessed via teleconferencing.

**Approve Minutes**

- Town Board Meeting –November 18, 2020

On motion by Mr. Hinman and second by Mr. Zervas the minutes of the November 18<sup>th</sup> Board meeting were:

Accepted     Ayes 5 - McAndrew, Crowley, Zervas, Hinman & Fitzpatrick  
                  Nays 0

**Audit of Claims**

- Pay Town bills on Distribution Report #12-2020

On motion by Mr. Zervas and second by Mr. Fitzpatrick the following resolution was

Accepted     Ayes 5 - McAndrew, Crowley, Zervas, Hinman & Fitzpatrick  
                  Nays 0

**Resolved** that the Town bills be paid on General Ledger Distribution Report 12-20 as follows:

001 - General Fund A:	\$ 39,803.02		
002 - General Fund B:	\$ 820.38		
		General Fund Total:	\$ 40,603.40
004 - Highway DB	\$ 28,171.03		
		Highway Fund Total:	\$ 28,171.03
006 - Water	\$ 35,872.03		
		<u>006 - Water Fund Total</u>	<u>\$ 35,872.03</u>
		Grand Total:	\$104,666.46

### **Supervisor's Reports**

- Accept Supervisor's November 2020 Financial Report

**On motion** by Mr. Crowley and second by Mr. Hinman the Supervisor's November 2020 Financial Report was

Accepted Ayes 5 - McAndrew, Crowley, Zervas, Hinman & Fitzpatrick  
Nays 0

- Fleet Lease Meetings

There were meetings with Enterprise and Bancor. Both will come up with a 10 year plan which the Town can review. One difference between the two companies is that Bancor doesn't provide fleet management services.

- Teamster's Contract Negotiations

Negotiations have concluded and will be discussed in Executive Session

- County Hazard Mitigation Meeting – Nov. 19

The County held a meeting to give a final call for any changes to the 2021 Hazard Mitigation Plan.

- Set Re-Organizational Meeting

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted: Ayes 5 - McAndrew, Crowley, Hinman, Fitzpatrick & Zerfas  
Nays 0

Resolved that the Town Board hold the Re-Organizational meeting on January 4<sup>th</sup>, 2021 at 4pm.

- MuckRock FOIL Request

OIC Auge, Deputy OIC Bouchard, Attorney Moriarty, Councilman Crowley and Supervisor McAndrew will meet Wednesday, December 23<sup>rd</sup> at 4:00 to discuss the Town's response to the FOIL request from MuckRock for police records.

### **Harry Weissman – Assessor**

Mr. Weissman provided reports showing trends from the state and sales analysis Ellicottville is on track to have a 99% equalization rate. He said the State may waive the need for senior exemption renewals. He is not planning on doing a massive update in 2021 because this has not been a normal year, sales have been much higher and sale prices may not be a true indication of assessed value. He will be looking at an update in 2022.

### **Gary Palumbo – Town Planner**

- Assisting Mr. Slotman with documenting vouchers/payments to resubmit payment request to the State for LGE Grant.

- Working on updating the Zoning Book to include new amendments.

- Attended County Supervisors' meeting which addressed Farmland Protection. The NYS Dept. of Ag and Markets will be offering a \$25,000 Grant. He will do more research to see if the cost is worth additional benefit to support agricultural uses in the Town.

- Attended a seminar by State Emergency Services. FEMA will reimburse COVID related expenses related to health care, medical staff, PPE, food distribution, signage and law enforcement extra cost. Not sure if the Town would have any eligible expenses.

- The proposed Solar Farm project on Sommerville Valley is waiting to see what the PILOT and HOST agreements will look like before they move forward.

### **Present Written Department Reports for Approval**

- Clerk's, Building Inspector's, Police, Justice and Planner's Reports

On **motion** by Mr. Zerfas and second by Mr. Fitzpatrick the Clerk's, Building Inspector, Police, Justice and Planners reports were:

Accepted      Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
                     Nays 0

### **Department Heads**

- **OIC Auge - Police Department**

A solar powered radar traffic sign has been ordered. The Village DPW will help put it in place and move it to different locations as warranted. The display can be controlled by a phone app.

- **Ben Slotman – Engineering Department**

- Building Department New Truck

Building Inspector, Kelly Fredrickson, obtained 5 quotes for a new truck for the Building Department. The Town budgeted for it in the 2021 budget. He is suggesting that the Town buy the 2020 Silverado V8 because it is available now and the resale value of a V8 will be higher than a V6. The Water Department would like to use the current truck for the time being so the workers can remain isolated from each other per Covid protocol.

- Engineering Report

- The LGE payment application is being revised in its entirety to be submitted.
- Wendel's Proposal for GIS service has been renewed for 2021. The Engineering Department is working with them to provided training.
- Valley Village – additional test holes have been completed
- Annual training for Sexual Harassment has begun.
- SAM Grant – DASNY is working through the final approval process
- Water Department received new meter reading equipment.
- Water rates review is ongoing. One issue that Mr. Slotman found is that there are 2160 parcels in the water district but only 1963 water accounts. Another is that water usage has been down. Supervisor McAndrew and Councilman Crowley will meet with Mr. Slotman at 4:00pm on January 7<sup>th</sup> to discuss water rates.

- CPL is working on the Water Project. They have drawn up a proposal and would like the Town to sign it. The Board would like to see it first.

### **Executive Session**

Motion by Mr. Zervas and seconded by Mr. Fitzpatrick to go into Executive Session at 6:58 to discuss contract negotiations, Extension Lease and personnel. All Ayes. Carried.

Motion by Mr. Crowley and seconded by Mr. Fitzpatrick to resume regular session. All Ayes. Carried.

- **Tom Scharf - Highway Department**

- Pump Doctor Quote

Mr. Scharf presented the quote from the Pump Doctor for the new Gasboy Prime Fuel Management System. The SourceWell pricing is recognized as State Bid. It's purchase had been budgeted in next year's budget.

On motion by Mr. Crowley and second by Mr. Fitzpatrick the following resolution was

Accepted: Ayes 5 - McAndrew, Crowley, Hinman, Fitzpatrick & Zervas  
Nays 0

Resolved that the Supervisor is authorized to sign an intent to purchase the Gasboy Prime Fuel Management system from The Pump Doctor provided it be paid out of 2021 budget. The total price is \$18,209.10.

- Seasonal Highway Workers

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zervas, Hinman & Fitzpatrick  
Nays 0

Resolved that Highway Superintendent Scharf is authorized to hire Harold Morton and George Hinman, Jr. as seasonal Highway employees at an hourly rate of \$18.36 to be used on an as needed basis.

### **New Business**

- Approve Union Contract

On motion by Mr. Zerfas and second by Mr. Fitzpatrick the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Board approve the Agreement between the Town of Ellicottville Highway Department and Teamsters Local 264 – Effective 1-1-21 to 12-31-24. Provisions included in the contract are a 2% pay increase in the first 3 years of the contract and 3% increase in the last year (2024). Also included: the Town agrees to a boot allowance of \$150.00.

- Resolution Hazard Mitigation Plan

On motion by Mr. Hinman and second by Mr. Zerfas the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
Nays 0

### **RESOLUTION 2021 Cattaraugus County Hazard Mitigation Plan**

WHEREAS, the Town of Ellicottville, with the assistance from Tetra Tech, Inc., has gathered information and prepared the 2021 Cattaraugus County Hazard Mitigation Plan; and

WHEREAS, the 2021 Cattaraugus County Hazard Mitigation Plan has been prepared in accordance with the Disaster Mitigation Act of 2000; and

WHEREAS, the Town of Ellicottville is a local unit of government that has afforded the citizens an opportunity to comment and provide input in the Plan and the actions in the Plan; and

WHEREAS, the Town of Ellicottville have reviewed the Plan and affirms that the Plan will be updated no less than every five years;

NOW THEREFORE, BE IT RESOLVED by Town Council that the Town of Ellicottville adopts the 2021 Cattaraugus County Hazard Mitigation Plan as this jurisdiction's Natural Hazard Mitigation Plan, and resolves to execute the actions in the Plan.

- Approve adding Delinquent Water to 2021 Taxes

On motion by Mr. Fitzpatrick and second by Mr. Hinman the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
Nays 0

**RESOLVED** that the Town Clerk is authorized to levy any and all water bills which are delinquent two (2) quarters or more onto the 2021 Town & County tax bills in the amount of \$13,170.65 as presented.

- V/T Grant Writer Agreement

The Village has decided not to renew the agreement with the Grant Writer, Diana Cihak, which has expired. The Town will not renew her agreement as well but will look into using her to help Gary Palumbo research and write grants at an hourly rate as needed.

- Code Enforcement Truck Approval

On motion by Mr. Fitzpatrick and second by Mr. Zerfas the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Town approve the purchase of the 2020 Chevrolet Silverado 1500 4WD Double Cab Standard Box (Work Truck package) 5.3 Liter Ecotec V8 as quoted (\$32,961.50) by Dave Hallman Chevrolet, Erie, PA. It will be paid for out of the 2021 budget.

- BAR Re-appointment

On motion by Mr. Zerfas and second by Mr. Hinman the following resolution was

Accepted Ayes 5 - McAndrew, Crowley, Zerfas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Town re-appoint Cathy Pritchard to the Board of Assessment Review

### **Old Business**

- Valley Village

Ms. Moriarty will get the letter of intent out for signatures.

- EVGV Trail

The Trail Committee has applied for a \$50,000 grant that would be used for design from the Town Center to Elizabeth Street.

- Catt County Extension Lease

The lease agreement has been revised and the Extension will meet with the County to review. There could be a decision by the end of February.

### **Adjournment**

Motion by Mr. Hinman and second by Mr. Zerfas to adjourn the meeting at 7:34pm. All Ayes. Carried.

I, Robyn A. 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 16th day of December, 2020, approved by said Board on the 20th day of January, 2021

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Robyn A. George, Town Clerk