

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE, MAY 19, 2021 at 6:00 pm  
HELD AT THE TOWN CENTER

<b><u>Present:</u></b>	Matthew McAndrew	Supervisor
	Greg Fitzpatrick	Councilman
	Ken Hinman	Councilman
	John Zerfas	Councilman
	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Gary Palumbo	Town Planner
	Ben Slotman	Engineer
	Steve Crowley	Town Councilman

**Others present:** Seth Krull, CPL, Kathy Kellogg and Dave Parker, press

**Call meeting to order:**

Supervisor McAndrew called the meeting to order at 6:00pm and led the Pledge to the Flag.

**Approve Minutes**

- Town Board Meeting – April 21, 2021
- Special Town Board Meeting – April 26, 2021

On motion by Mr. Hinman and second by Mr. Zerfas the amended minutes of the April 21<sup>st</sup> and April 26<sup>th</sup> Board meetings were:

Accepted      Ayes 4 - McAndrew, Hinman, Zerfas & Fitzpatrick  
                    Nays 0

**Audit of Claims**

- Pay Town bills on Distribution Report #05-2021

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

Accepted      Ayes 4 - McAndrew, Hinman, Zerfas & Fitzpatrick  
                    Nays 0

**Resolved** that the Town bills be paid on General Ledger Distribution Report 05-21 as follows:

001 - General Fund A:	\$ 14,130.96		
002 - General Fund B:	\$ 1,675.99		
		General Fund Total:	\$ 15,806.95
004 - Highway DB	\$ 47,077.54		
		Highway Fund Total:	\$ 47,077.54
006 - Water	\$ 20,421.47		
		<u>006 - Water Fund Total</u>	<u>\$ 20,421.47</u>
		Grand Total:	\$ 83,305.96

### **Supervisor's Reports**

- Accept Supervisor's April 2021 Financial Report

**On motion** by Mr. Fitzpatrick and second by Mr. Zerfas the Supervisor's April 2021 Financial Report was

Accepted     Ayes 4 - McAndrew, Zerfas, Hinman & Fitzpatrick  
                      Nays 0

- Drinking Water Source Protection Program (DWSP2) Plan

The Town has been selected to work with a technical assistance provider to aid in the development and implementation of a Drinking Water Source Protection Program. The program is a state-run voluntary program created to assist municipalities with proactively protecting their drinking water sources. The Board expressed some concern over the staff time it would take to participate in the program and asked how participation would benefit the Town. Mr. Palumbo said that it could help the Town define well head protection areas and help define future land use management. Mr. Slotman pointed out that the Town could back out at any time and may be asked to come up with a plan eventually.

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

Accepted     Ayes 4 - McAndrew, Hinman, Zerfas & Fitzpatrick  
                      Nays 0

Resolved that the Town move forward with the DWSP2 and work with a technical assistance provider offered by the State.

- Water Meeting with Village

A meeting was held with the Town and Village to discuss the direction the billing structure will go in to meet the goals of the water department. Also discussed was how to fund the upcoming capital project (user fees or special district taxes). The discussion included initial conversations with the Village on the status of sewer department revenue. A 4-Flushers meeting is scheduled for May 24<sup>th</sup> at 4pm.

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

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

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

Accepted      Ayes 4 - McAndrew, Zervas, Hinman & Fitzpatrick  
                      Nays 0

### **Department Heads**

- **OIC Auge - Police Department – Absent**

The Police Department is attending training session with Cattaraugus County for Police Reform. The training itself is free, but the officers are receiving their hourly rates.

- **Gary Palumbo – Town Planner**

There are 3 applications in front of the Planning Board for their next meeting.

- Elk Creek Subdivision Phase 2
  - Tiny Home Village
  - Borrego Solar Farm (6902 Simmons Rd.) pre-application conference
- No change in the other pending Solar Farms.

The Planning Board has completed an annual review of the Comprehensive Plan. Some recommendations are:

- Amend Zoning Map to reduce Conservation District's 100' buffer along certain roads.
- Consider a zoning amendment to allow more (yet limited) retail in the AR district. An application for a storage facility is expected.

The proposed schedule for relocating the Town/Village Engineering Departments to the Town Center was presented. There are 3 spaces that need to be vacated.

The server and phone service need to be moved from the DPW building. They are hoping to be able to relocate in August.

The Culvert Grant Applications have been submitted

- **Ben Slotman – Engineering Department**

- Monthly Report

- Engineering Assistant Intern – a job listing has been posted but only one application has been submitted to date.
- Fleet Maintenance – the Committee needs to schedule a time to review the two plans presented.
- LED Street Light – National Grid has been contacted numerous times for an update on the status of the project, but they have not responded.

-Booster Station #2

The Booster Station pump at Booster Station #2 needs to be rebuilt. The last pump was rebuilt last year by Ace Viking for \$12,580.00. The motor and casing both need to be repaired. The work was included in the 2021 budget. The repair would be difficult to put out for bid because the scope of the work is unknown. The Water and Engineering Department recommend using Ace Viking. The Board would like to know if they or any other companies offer a warranty on their work before they come to a decision.

- **Tom Scharf - Highway Department**

- Salt Shed

The current salt shed is 13 years old; it should last 15-20 years. Mr. Scharf got 3 prices for replacing the tarp ranging from \$43,000 to \$60,000. He is going to keep an eye on it, for now. Seth Krull said there are yearly CFA grants offered that may cover half the cost.

The Highway Department will be chip sealing with the Village DPW. They will do the Fire Hall, PineTree and Lynn Weishan Dr.

The Valley Village existing lot is scheduled for grinding June 1<sup>st</sup>.

### **New Business**

- Standard Work Day and Reporting Resolution

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

Accepted: Ayes 4 - McAndrew, Zervas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Town of Ellicottville hereby establish the following standard work days for these titles and will report the officials to the New York State and Local Retirement based on their record of activities:

Benjamin Slotman, Town Engineer – Standard Work Day – 8 hours, ROA 22.59  
Gary Palumbo, Environmental Planner – Standard Work Day - hours, ROA 23.12

- Championship Rodeo Request

Ellicottville Championship Rodeo sent a letter announcing plans for their annual Rodeo, July 1st through July 4th. They have requested a Noise Permit until 1:00am each night.

On **MOTION** by Mr. Hinman, seconded by Mr. Zervas, the Town Clerk is directed to issue a Noise Permit to the Ellicottville Championship Rodeo as requested. All Ayes. Carried.

The Kent's have also requested that the Town write a letter to the State Liquor Authority stating that the Town has no objection to them getting a temporary beer/wine permit for that weekend.

On **MOTION** by Mr. Hinman, seconded by Mr. Zervas, the Town Clerk is directed to write a letter to the State Liquor Authority stating that the Town has no objection to the Ellicottville Championship Rodeo's obtaining a temporary beer/wine permit for the weekend of July 1st through July 4th. All Ayes. Carried

- Planning IMA with Great Valley

Motion by Mr. Hinman and second by Mr. Zervas to go into executive session to discuss rates. All ayes. Carried.

Motion by Mr. Hinman and second by Mr Fitzpatrick to resume regular session. All Ayes. Carried.

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

Accepted: Ayes 4 - McAndrew, Zervas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Supervisor is authorized to sign the Intermunicipal Agreement for Shared Planning Services between the Town of Ellicottville and Town of Great Valley with an hourly rate of \$90.00 for the Planner's services.

- Reopening Town Hall

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

Accepted: Ayes 4 - McAndrew, Zervas, Hinman & Fitzpatrick  
Nays 0

Resolved that the Town Hall be open to the public during regular Clerk's office hours.

### **Correspondence**

- Thank you from Ellicottville Library

The Library sent a letter thanking the Town for its continued financial assistance.

### **Old Business**

- Valley Village – moving forward
- Quackenbush Update – almost done with map
- EVGV Trail

The marketing plan will be ready next week. The committee has requested input from the Village. The Town may be asked to enact a resolution endorsing the trail plan in an effort to secure more grants.

- Catt County Extension Lease

Catt. County Extension is working on design plans. An appraisal of the land will be done before agreement is finalized.

- SAM Grant

The grant is pending final approval. The front door is in need of repair but it will be very expensive so it will wait until the grant comes through. The Town/Village Hall sign also needs repairs. The Clerk was instructed to get an estimate of the cost of repair.

- Water Project – CPL

Seth Krull updated the Board on the status of the Water Improvement Project. Drawings have been completed in regard to the water main, storage and booster and well house. An updated communications plan is being worked on. After the bid process is complete, bids will be awarded this Fall. Construction is planned for the Spring of 2022.

### **Adjournment**

Motion by Mr. Hinman, seconded by Mr. Fitzpatrick to adjourn the meeting at 7::51pm. 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 19th day of May, 2021, approved by said Board on the 16th day of June, 2021

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Robyn A. George, Town Clerk