

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE MAY 20, 2020 at 6:00 pm
ELLICOTTVILLE TOWN HALL

<u>Present:</u>	Matthew McAndrew	Supervisor
	Ken Hinman	Councilman - via phone
	Greg Fitzpatrick	Councilman
	Steve Crowley	Councilman
	John Zervas	Councilman
	Niles Pierson	Town Engineer
	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Don Auge	Officer in Charge - via phone
	Tom Scharf	Highway Superintendent - phone

Others present: John Thomas via phone, 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 closed to the public due to Covid 19 pandemic. The public does have access via teleconferencing.

Approve Minutes

- Town Board Meeting - April15, 2020

On motion by Mr. Zervas and second by Mr. Fitzpatrick the amended minutes of the April 15th Board meeting were:

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

Audit of Claims

- Pay Town bills on Distribution Report #05-2020

On motion by Mr. Crowley and second by Mr. Zervas 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 05-20 as follows:

001 - General Fund A:	\$ 29,747.64		
002 - General Fund B:	\$ 4,436.22		
		General Fund Total:	\$ 34,183.86
004 - Highway DB	\$ 47,526.96		
		Highway Fund Total:	\$ 47,526.96
006 - Water	\$ 51,677.56		
		006 - Water Fund Total	<u>\$ 51,677.56</u>
		Grand Total:	<u>\$133,388.38</u>

Supervisor’s Reports

- Accept Supervisor’s April 2020 Financial Report

On motion by Mr. Hinman and second by Mr. Fitzpatrick the Supervisor's April 2020 Financial Report was

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

- Catt. Co. Cooperative Extension Meeting - May 21st at 4:00pm

Negotiations with the Cooperative Extension for the use of space at the Town Center are going well.

- Revised Budget Plan

Supervisor McAndrew spoke with the Town's Accountant who is estimating that the Town may have a \$750,000 shortfall in its budget due the Covid pandemic. He is asking all Department Heads to come up with a plan to cut their budgets by 25%. All non-essential purchases and training should be eliminated.

Present Written Department Reports for Approval

- Clerk’s, Building Inspector's and Planner's Reports

On motion by Mr. Hinman and second by Mr. Zervas the Clerk’s Report, Building Inspectors Report and Planners were:

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

Department Heads

Don Auge - Police Department

OIC Auge warned of a quick change artist in Town that took a local business for \$600.

Mr. Crowley said a meeting with the Bi-Centennial Committee is scheduled. He would like to get together with OIC Auge and Officer Bouchard to discuss the delayed celebration once plans are finalized.

Niles Pierson – Engineering Department

- Water Rate Change

Mr. Pierson proposed establishing a new, "Commercial 2A" water rate. This rate would be applicable to small, low volume food service users including the liquor store, winery, butcher, etc. The proposed change is in response/feedback from these establishments.

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

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

Resolved that the Town establish the following water rate:

Commercial 2A for commercial establishments with food service and low volume - Historical usage of under 30,000 gallons per quarter. This would include Liquor stores, Winery, Bakeries and Butcher Shops and others.

Minimum Usage - 30,000 gallons Minimum Rate - \$131.25

Anything above the minimum would be charged at base rate of \$.007/gallon.

- Monthly Report

- Mr. Pierson has been talking with Buffalo Solar Solutions over the past few months to formulate a potential solar project idea for the Town. The project would involve the installation of a solar farm in the open area directly to the northwest of the Highway Barn building. The energy generated would offset all of the Town's electrical meters through a remote metering system. The financing structure would be set up as a Power Purchase Agreement contract. Depending on the agreement terms, the Solar Farm could save the Town 100's of thousands of dollars over the lifetime of the agreement. The Board agreed it was worth pursuing and suggested that Planner Palumbo be consulted.

Tom Scharf - Highway Department

- Quote for Brushwolf

Mr. Scharf submitted a quote from Liftech for a Brushwolf that would fit on the excavator of \$7,643.00. It can cut and mow up to 3". The 2005 tractor that the Town is using is old and he would eventually like to replace it with a smaller, 2-wheel drive model. The Village Sewer Department would like to use the Brushwolf to maintain the sewer area. The Board agreed that Mr. Scharf could move forward with the purchase if the Village agrees to split the cost.

- The 2nd culvert on Irish Hill Road washed out and has been temporarily repaired.
- A resident on Witch Hollow has asked Mr. Scharf about paving the Road. He said that the road needs attention and it is on the list of roads to be chipsealed. He also received a complaint about Northwoods Drive which is on the list of roads for cold mix asphalt pave. .

New Business

- Resolution to Provide COVID-19 Related Aid

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

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

Resolution to Provide Direct COVID-19 Related Federal Aid to All Municipalities

WHEREAS, the federal government recently enacted the Coronavirus Aid, Relief, and Economic Security (CARES) Act to address the economic fallout from the coronavirus pandemic in the United States; and

WHEREAS, Section 601 of the CARES Act (P.L. 116-136) provides a \$150 billion fund for states, tribal governments, and units of local government with a population in excess of 500,000 people; and

WHEREAS, less than one-half of 1 percent of municipalities in the entire United States meet this population threshold and are thus ineligible to receive direct funding from the federal government; and

WHEREAS, of the 933 towns in New York, 931 are not eligible for direct federal funding under the CARES Act, including the town of Ellicottville; and

WHEREAS, towns provide essential services to the 9 million New Yorkers town residents, including, but not limited to, ambulance, police and fire protection

services, building and code enforcement, and highway maintenance, and have continued to do so throughout the ongoing health crisis; and WHEREAS, the coronavirus pandemic has created significant financial stress for local governments in New York as an estimated \$2 billion in sales tax revenue has been lost, as well as other sources of revenue such as permit fees, justice court fines, and mortgage recording tax; and

WHEREAS, the depletion of different revenue sources for local governments, combined with lack of funding, will result in reducing essential services or shifting the cost onto real property taxpayers, many of whom are experiencing their own financial stress;

NOW THEREFORE BE IT

RESOLVED, that the town of Ellicottville calls upon United States Congressional Representative Thomas Reed, Senator Charles Schumer, and Senator Kirsten Gillibrand, to support federal funding related to the coronavirus pandemic that is directly delivered to all municipalities, regardless of population size.

- Water bill Adjustments

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

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

Resolved that the Town Board approve the following adjustments to the water bills:

Account #

0301	-44.00
0183	-54.40
0301	-44.00
0647	-39.60

These were all paid on March 9th, but did not carry forward to the new system. Williamson Law was working on it that day and the Clerk was not aware.

2400	-52.50
0037	-52.50

Both of these accounts were charged for water but are not within the 250' threshold.

1230	-152.85
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Should have been commercial one, not commercial two.

3128	-160.60
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1207 -207.52
1503 -152.04

See attached.

1915 - 26.25 (Should have been senior rate)
0066 - 54.22 (Should have been flat rate)

- Late Fees - Water Bills

Due to the hardships that the Covid 19 pandemic has created, a lot of municipalities have either waived late fees on water bills, or eliminated them completely.

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

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

Resolved that the Town waive penalties on water bills for an additional 30 days provided the Village is willing to do the same to its sewer bills.

- Summer Park Program

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

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

Resolved that the Summer Park Program be canceled due to concerns related to the Covid 19 Pandemic.

- Re-opening of Town Hall and Clerk's Office

There was discussion on the re-opening of the Town Hall and Clerk's office. The Clerk has ordered a plexi-glass shield for her counter. The Board agreed that she should not open before it is installed. Once that is done, she should post rules that people who come in need to follow to keep everyone safe. The building will only be open during regular business hours. Limiting public access to the restrooms was also discussed.

- Bradley Poole - Cystic Fibrosis Run

Bradley Poole has asked Towns and Villages to help spread the word about his fundraiser run benefitting Cystic Fibrosis. The Town directed the Clerk to post a

link to his page on the Town website. They also suggested contacting the Chamber of Commerce.

Old Business

- Valley Village - nothing new
- EVGV Trail - grants are still being pursued.
- Quakenbush Update - no response from County
- Canada Hill Property Letter - will be discussed under Attorney/Client Privilege

Correspondence

- Water Charge Complaint

A customer who is on a private well wrote a letter expressing displeasure that she was being charged for water. While the Board could sympathize with her, the rules that are in place governing water service need to be followed.

- Niles Pierson

Niles Pierson told the Board that he will be returning to active service in the US Coast Guard. He believes it is his "calling" but added that it has been an honor working for Ellicottville. He is committed to helping the Town and Village find his replacement.

The Supervisor commended him on doing a great job building a foundation for the Engineering Department.

Attorney/Client Privilege

Motion by Mr. Zervas, seconded by Mr. Fitzpatrick to go into Attorney/Client Privilege. All Ayes. Carried.

Motion by Mr. Hinman, seconded by Mr. Zervas to resume regular session. All Ayes. Carried.

Adjournment

Motion by Mr. Fitzpatrick and second by Mr. Crowley to adjourn the meeting at 8:00pm in honor of the service and work Niles Pierson has done for the Town. 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 20th day of May, 2020, approved by said Board on the 17th day of June, 2020.

Robyn A. George, Town Clerk