

Village Board Meeting and Public Hearing

December 21st, 2021

Via Zoom at 6:00pm

Attended: **John Burrell** **Mayor – In Person**

 Doug Bush **Trustee**

 Caitlin Croft **Trustee**

 Ed Imhoff **Trustee**

 Sean Lowes **Trustee**

 Ben Slotman **Engineer**

 Richard Stanton **Attorney**

 Mary Klahn **Clerk – In Person**

Also attended: Job Lowry, Anthony Fedorowitz, Dan Rider, Kevin Lester, MJ Brown, Jesse Klahn and Kathleen Kellogg.

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

Good News

Mayor Burrell announced that we received the Mortgage Tax Check from Catt. County for \$15,169.89 Environmental Facilities Corporation (EFC) Grant

Public Hearing – Local Law #4 – 2021Village’s Zoning Code provisions that relate to establishment and operation of secondary dwelling units, and/or lockout rooms within the Village of Ellicottville, NY.

The board accepted comments from Dan Rider and Kevin Lester. Both men said they favor more building, but with regulations. Richard Stanton stated that a committee met several times over six months and made recommendations for lot area requirements that will buffer the surrounding properties to provide for more housing opportunities while limiting density and protecting residential neighborhoods and the rural quality of the Village. He also added that the amendment is in line with Comprehensive Plan and has been posted on the municipal website. A moratorium on accessory apartments remains in effect through January 31st.

Motion: by Ms. Croft to close the Public Hearing.

Second: by Mr. Lowes All ayes. Carried

Minutes from 11/16/2021

Motion: by Mr. Imhoff to approve the minutes

Second: by Ms. Croft with a change on page 4. All ayes. Carried

Ms. Croft noted that a mistake was made on the bottom of page 4.

November 30, 2021 Financial Reports

Motion: by Mr. Bush to accept the reports.

Second: by Sean Lowes All ayes. Carried

November Audit of Claims

General Fund **\$44,989.93**

Sewer Fund **\$106,123.08**

Motion: by Mr. Imhoff to pay the bills.

Second: by Mr. Bush All ayes. Carried

Mayor's Report

Skate Park Update – Nothing new

11/18/2021 Waste Water Plant Tour

11/18/2021 Gary Palumbo, Good bye gathering.

11/18/2021 Planner Committee Meeting – We have 3 interviews being planned.

11/23/2021 Four Flushers Meeting 4:00pm

DRI Application Update

Town/Village Planner Position update

12/08/2021 NYCOM Legislative Zoom Meeting

12/08/2021 Four Flushers Meeting

12/09/2021 Meeting with Sheila Gallagher re: Recycling

12/16/2021 Water Project Meeting

NYCOM Winter Legislative Meeting 1/13-14, 2022

Motion: to approve Mayor Burrell to attend by Ms. Croft

Second: by Mr. Bush All ayes. Carried

Department and Committee Reports for Approval

Planning – Nancy Rogan/Doug Bush – Caitlin Croft/Rich Stanton

Planning Report

Moratorium Update – already discussed

Motion: to accept the Planning report by Mr. Lowes.

Second: by Ms. Croft All ayes. Carried

Engineering

Engineering Report

Motion: by Mr. Lowes to accept the report.

Second: by Mr. Imhoff All ayes. Carried

DPW Report

Motion: by Mr. Lowes to accept the DPW report.

Second: by Mr. Imhoff All ayes. Carried

Code Enforcement Report

Motion: by Mr. Bush to accept the report.

Second: by Mr. Lowes All ayes. Carried

WWTP Boiler Replacement Update – Started last Wednesday and it is up and operational.

Water Project Update – Mr. Slotman stated that he anticipates a Health Department go-ahead, adding that a representative from Clark Patterson Lee last week advised the project is on target and will be ready to receive bids in February.

EFC Grant – We have been approved for a \$30,000 engineering planning grant from the New York State Environmental Facilities Corporation. Mr. Slotman stated that the grant will pay for a engineering study to locate sources of I and I, or infiltrations and inflow of water leaking into the Village’s sewer collection system through manholes, downspouts and broken cleanouts. The Village must contribute \$6,000, representing a 20% local match. Bids would be advertised, a contractor would be chosen in February and field work would be done in the spring, for a completion of the study by the end of June.

Motion: to move forward with the \$30,000 grant by Mr. Bush.

Second: by Mr. Imhoff All ayes. Carried

Beautification – Sean Lowes – Lowes stated that the DPW and the Alley Kat’s did a great job decorating the gazebo and several homeowners did a wonderful job to make the Village look festive.

Old Business

Authorization to pay Bryan Clark \$22.66 per hour and his back pay of \$6,641.93.

Motion: by Mr. Lowes to authorize the raise and back-pay.

Second: by Ms. Croft All ayes. Carried

Planner Position Update – 3 interviews after the Holiday’s.

Mill Street Parking Update – Cattaraugus County is offering to help the Village buy a landlocked 2 acre property owned by Norm Leyh on Mill Street for \$375,000. The land purchase and construction are expected to cost about \$1 million. Mr. Bush stated that this will be approximately 121 parking spots. The County will fund the purchase price and Crystal Abers is working on finding grants to do the construction. An estimate for engineering design is \$20,000. Once the Village ratifies a purchase contract, a \$10,000 refundable deposit must be paid within three days. The county was very supportive of Ellicottville being we are one of the economic engines for the area. Mayor Burrell suggested borrowing the \$375,000 from the Sewer Fund to transfer it into the General Fund and make the purchase – when the county reimburses us then the money can be paid back to the Sewer Fund by March 31st. The board all thanked Mr. Bush for all of his efforts.

Motion: to authorize Mr. Stanton to take care of Phase 1 by Mr. Imhoff.

Second: by Mr. Bush All ayes. Carried

Motion: to authorize Mr. Stanton to start SEQR process by Mr. Lowes.

Second: by Mr. Bush All ayes. Carried

Motion: for ratification of the terms of contract purchase agreement for \$10,000 on the Mill St. Property by Mr. Bush.

Second: by Ms. Croft All ayes. Carried

New Business

Prosecutor Resignation

Motion: By Mr. Lowes to accept the resignation of Prosecutor Susan Dowd and to appoint Mr. Stanton in the interim to fill the position.

Second: by Ms. Croft All ayes. Carried

Correspondence

12/07/2021 Ruth M. LaBelle Letter

12/13/2021 John J. Canavan Letter

Utility Poles

We had a utility pole damaged on Washington Street during a high wind event that also knocked out the power. The power was restored and the pole was removed for repair. We discovered that two of the 12 cast iron utility poles also need repair. The DPW officials are determining a course of action.

Motion: to issue a negative declaration on the SEQR by Mr. Bush.

Second: by Ms. Croft All ayes. Carried

Motion: to approve the adoption of Local Law #4 by Mr. Bush.

Second: by Mr. Lowes Role call vote, Mr. Imhoff – Yes, Ms. Croft – Yes, Mr. Bush – Yes, Mr. Lowes – Yes, and Mayor Burrell – Yes.

Motion: to adjourn by Ms. Croft.

Second: by Mr. Lowes All ayes. Carried