

**Village of Ellicottville Board Meeting and Public Hearing  
May 20<sup>th</sup>, 2019**

<b>Attended:</b>	<b>John Burrell</b>	<b>Mayor</b>
	<b>Greg Cappelli</b>	<b>Trustee</b>
	<b>Joe DiPasquale</b>	<b>Trustee</b>
	<b>Patra Lowes</b>	<b>Trustee</b>
	<b>Spencer Murray</b>	<b>Trustee</b>
	<b>Richard Stanton</b>	<b>Attorney</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Mary Klahn</b>	<b>Clerk</b>

**Also attended:** Caitlan Croft, John Thomas, Kelly Fredrickson, Gary Palumbo and attached list.

**Call meeting to order at 6:00pm.**

**Pledge to the flag**

**Good News**

**Public Hearing – Proposed Zoning Code Amendments**

Mayor Burrell started the public hearing by stating the purpose of the evening was for the Board to hear from the public and not debate the issue. Each of the speakers was given three minutes to address the board. The majority of the people who addressed the board are engaged in the short-term rental market. About half of them listed addresses in the Village residential district, where short term rentals are not allowed. The remaining half of the speakers, were out of town owners who purchased a home in the Village with the intention of renting it. Two local real estate agents said they screen renters, take security deposits and pay county bed taxes. Other landlords pointed out the amount of business short-term renters bring into the Village. Some warned that if less than 30-day rentals went away, so would many of the local businesses, and the tax base would suffer. They said local real estate values could go down. Other renters, noting the apparent need for rules, questioned how those rules could be enforced. Much more discussion against the proposed zoning code amendments. Mayor Burrell thanked all for attending.

**Motion:** by Mr. DiPasquale to close the public hearing.

**Second:** by Ms. Lowes All ayes. Carried

**Motion:** by Ms. Lowes to carry on with the meeting.

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

**Business from the Floor**

Sharon Mathe and Colette Schoening are running for Democratic Party Legislature in Cattaraugus County District 3. Paul Smith is running for the County Coroner position, he has been funeral director for 49 years and all three would appreciate our votes.

**Approve minutes**

**Regular meeting minutes from April 15, 2019**

**Motion:** by Mr. Murray to approve the minutes.

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

**Special Meeting Minutes from May 13<sup>th</sup>, 2019**

**Motion:** by Ms. Lowes

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

**Budget Modifications**

**From:** A1325.4 Clerk-Cont. \$1,175.90

**To:** A1325.41 Clerk-Account \$1,175.90

**From:** A2701 Refunds of prior yrs exp. \$7,862.04

**To:** A1640.4 Veh. Main – Garage \$3,314.25

A3320.4 Const. Cont. \$134.99

A5110.4 Maint. Roads – Cont. \$856.00

A8510.4 Beau. Cont. \$143.32

A8560.4 Trees Cont. \$94.02

A9060.8 Medical Ins. \$3,319.46

**From:** A2115 Plan Bd Fees \$3,099.93

**To:** A8020.4 Plan Bd – Cont. \$3,099.93

**From:** F2140 Village Water \$7,806.94

F2144 Hook-ups and ser. Work \$5,260.00

F2148 Penalties \$1,252.31

F8310.4 Clerk-Phones \$1,000.00

F8340.4 Trans & Dist. – Cont. \$3,770.47

**To:** F1440.4 Engineer Cont. \$3,865.28

F8310.4 Clerk-Cont. \$1,143.58

F8310.42 Clerk-Train \$1,405.68

F8320.4 Power Pump Cont. \$5,417.21

F8320.42 Power Pump Cont. \$3,476.44

F9060.8 Medical Ins. \$3,781.53

<b>From: G2120 Village Sewer</b>	<b>\$8,207.88</b>
<b>To: G1325.41 Accounting – Cont.</b>	<b>\$481.87</b>
<b>G8130.4 Treat &amp; Disposal</b>	<b>\$1,534.54</b>
<b>G9060.8 Med. Ins.</b>	<b>\$6,191.47</b>

**Motion:** to approve the budget modifications by Mr. Murray

**Second:** by Ms. Lowes All ayes. Carried

### **Financial Report**

**Motion:** to approve by Mr. Cappelli.

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

### **Audit of Claims**

<b>General</b>	<b>\$37,473.42</b>
<b>Water</b>	<b>\$12,395.28</b>
<b>Sewer</b>	<b>\$14,231.22</b>

**Motion:** to pay the bills by Mr. Cappelli.

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

### **Mayor's Report**

Joint Fire Commission Meeting Minutes  
USDA Meeting-Batavia  
NYCOM-Cooperstown  
Local Government Conference – Houghton  
Water District Meeting  
DRI Meeting  
Skate Park Meeting-Town Center  
Arbor Day

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

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

**Motion:** to accept the Planning report by Mr. Cappelli.

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

#### **AECOM Consulting Services Agreement**

**Motion:** to have the Mayor sign the agreement by Mr. Cappelli.

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

## **SEQRA Type 1 Determination for Short-term Rentals-Zoning Amendment**

**Motion:** to table the SEQRA Type 1 Determination by Mr. Murray.

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

Attorney Stanton proposed to let the public send letters for 10 days from the meeting night.

## **Engineering**

**Motion:** to accept the Engineers report by Mr. Murray

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

SEQRA Type II Determination for Town Consolidated Water District Extension  
Changed to SEQRA Unlisted Action

**Motion:** by Mr. Cappelli to accept the SEQRA

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

## **Attach to the minutes**

**A Resolution, Dated May 20, 2019, of the Village Board of Trustees of the Village of Ellicottville, Cattaraugus County, New York (The “Village”), Granting the Villages Consent to a Proposed Extension of the Town of Ellicottville Consolidated Water District No. 1 into the Village.**

Niles will send all of the proposed water and sewer rates to the board tomorrow.

**Motion:** to approve the resolution by Mr. Cappelli.

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

**NYCOM Local Government Achievement Award** plaque presentation

Mayor Burrell presented the plaque to Niles Pierson.

**Street Light Conversion-National Grid-NYPA-NYSERDA**

Projecting for a savings of 14 thousand for LED lights. It will be approximately 10 year payback. 133 owned by National Grid.

Some discussion on shared services with using the sweeper for private properties. Mayor Burrell stated that we haven't been charging. Need to find out what is legal.

## **Proposed Take-Home Vehicle Policy**

**Motion:** to pass the Take-Home Vehicle Policy by Mr. Murray

**Second:** by Mr. Cappelli Mr. Murray – Yes, Mr. Cappelli – Yes, Mr. DiPasquale – Yes, Ms. Lowes – No, Mayor Burrell – No.

### **Parks – Patra Lowes**

Baseball Update – Large baseball field is almost ready – Looks great.

**Pontoon boat at the waste water treatment plant.** We have an area resident who would like to purchase. Have to take highest bidder stated Richard Stanton.

Mr. Pierson needs to put it up for sale it would be considered surplus property and want to put it on the auction site.

**Motion:** to sell with Mr. Stanton's input by Mr. Cappelli.

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

Ms. Lowes asked if Mr. Pierson checked with NYMER if the public can come to the harassment training, I haven't yet replied Mr. Pierson.

### **Parks**

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

#### **Sidewalks**

Preparation for summer paving and sidewalk projects are currently ongoing.

- Roads to be paved include McKinley, section of Martha St., Town Hall Entrance Rd., Fillmore Dr. re-profiling.

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

Time frame of street closures was discussed for the Summer Festival.

**Motion:** to accept the Summer Music Festival as amended by Mr. Murray.

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

Taste of Ellicottville and Blues and Jazz festival, for the taste Monroe Street will stay closed on the Saturday night.

**Motion:** to approve the Blues and Jazz festival by Mr. Murray.

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

**Motion:** to approve the Taste of Ellicottville by Mr. Murray.

**Second:** by Ms. Lowes All ayes. Carried

Caitlan Croft is working with a committee on the Friday Night Stroll the Streets-Farmer's Market.

[Ellicottvillefarmersmarket.com](http://Ellicottvillefarmersmarket.com)

Rock Autism Festival- application is in and will be held once again at the Village Park.

**Refuse – Patra Lowes**

**Parking**

Ms. Lowes is suggesting a 2 hour parking on all of Monroe Street. The board suggested talking with the police.

**Justice Court Abolishment** – agreement with justice court clerk, Attorney Stanton replied – nothing at this time.

**24 Rockwell Avenue** – Nothing new, Ms. Moriarty is still handling and both lawyers are informed.

**New Business**

**Old Business**

Bench Update – 18 total with plaques.

**Correspondence**

**Ellicottville Championship Rodeo**

**Motion:** to approve the signage by Mr. Murray.

**Second:** by Ms. Lowes All ayes. Carried

**Assemblyman Giglio** – CHIPS Aid: \$20,720.13 and PAVE-NY Aid: \$4,729.58

**Motion:** to adjourn the regular meeting at 8:35pm by Mr. Murray

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

*VILLAGE OF ELICOTTVILLE BOARD RESOLUTION # 2019-05-20*

**SEQRA UNLISTED ACTION – NEGATIVE DECLARATION DETERMINATION FOR  
TOWN CONSOLIDATED WATER DISTRICT EXTENSION**

**WHEREAS**, the Village of Ellicottville Board has determined that the Town of Ellicottville Consolidated Water District No. 1 should be extended to include the properties within the Village of Ellicottville; and

**WHEREAS**, pursuant to the requirements of the State Environmental Quality Review Act (“SEQRA”), the Village of Ellicottville must consider pursuant to criteria set forth in SEQRA the environmental implications of such projects; and

**WHEREAS**, certain actions are classified under SEQRA as Unlisted actions; and

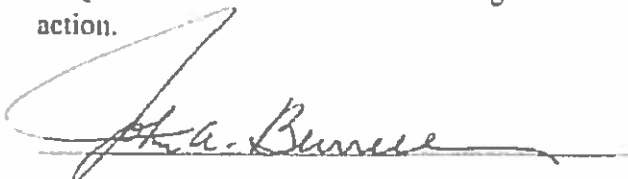
**WHEREAS**, Unlisted actions are those actions, or classes of actions, that do not meet or exceed a threshold contained in the Type I SEQRA action list, or one that is on an agency’s locally adopted Type I list, and is not contained in the Type II action list.

**WHEREAS**, unlisted actions usually require the preparation of an Environmental Assessment Form (EAF); and

**WHEREAS**, the Village has considered under SEQRA the action described, prepared a full EAF, and finds that this project will result in no significant adverse impacts on the environment, and, therefore, an environmental impact statement does not need to be prepared.

**NOW, THEREFORE, BE IT**

**RESOLVED**, that that the project discussed above hereby is determined to constitute a SEQRA Unlisted Action and the Village has decided to declare a negative declaration to this action.

A handwritten signature in black ink, appearing to read "John A. Burrell", written over a horizontal line.

John Burrell, Mayor of the Village of Ellicottville

John Burrell  
Mayor  
May 7, 2019  
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**A RESOLUTION, DATED MAY 20, 2019, OF THE VILLAGE BOARD OF TRUSTEES OF THE VILLAGE OF ELLICOTTVILLE, CATTARAUGUS COUNTY, NEW YORK (THE "VILLAGE"), GRANTING THE VILLAGE'S CONSENT TO A PROPOSED EXTENSION OF THE TOWN OF ELLICOTTVILLE CONSOLIDATED WATER DISTRICT NO. 1 INTO THE VILLAGE.**

WHEREAS, the Village of Ellicottville, in the County of Cattaraugus, New York (the "Village") has worked collaboratively with the Town of Ellicottville, in the County of Cattaraugus, New York (the "Town") regarding the provision of water service to Village residents for many years; and

WHEREAS, the Village and the Town currently share responsibility for the operation of the Village water system through one or more inter-municipal agreements ("IMA") that the Village and Town have entered into pursuant to Article 5-G of the New York General Municipal Law (collectively, the "Ongoing IMA"); and

WHEREAS, the Village and Town, after a series of ongoing discussions, now feel that it is appropriate and prudent to move forward with a more formal mechanism to allow the Town to operate the Village's water system, which will allow for certain operating efficiencies and better organization; and

WHEREAS, this can be accomplished by an extension of the Town's previously established Town of Ellicottville Consolidated Water District No. 1 (the "Consolidated WD" or "CWD") into the Village; and

WHEREAS, an initial step in such extension process is achieved by obtaining consent of the Village, which, pursuant to Town Law Section 209 can be done by the Village Board of Trustees' adoption of a resolution granting such consent, subject to permissive referendum; and

WHEREAS, the Village Board of Trustees now wishes to grant such consent;

NOW THEREFORE,

BE IT RESOLVED, by the Village Board of Trustees as follows:

SECTION 1. The Village determines that it is in the public interest to allow the Town to extend the Consolidated WD into the Village.



John Burrell  
Mayor  
May 7, 2019  
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SECTION 2: The Village has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary.

SECTION 3. The Village grants its consent to such extension.

SECTION 4. This Resolution is subject to permissive referendum pursuant to Section 209 of the Town Law.

SECTION 5. The Village Clerk is hereby authorized and directed to publish (one time) and post (in at least six conspicuous public places within the Village and at each polling place), this resolution, or a summary thereof, together with a notice of adoption of this resolution subject to permissive referendum, within ten days after the date of adoption of this resolution.

\* \* \* \* \*

The question of the adoption of the foregoing resolution was duly put to vote on a roll call, which resulted as follows:

AYES: Mayor Burrell  
Greg Cappelli  
Joe DiPasquale  
Patra Lowes  
Spencer Murray

NOES:

ABSENT:

The foregoing resolution was thereupon declared duly adopted.

*Mary J. Klade*

SIGN IN SHEET TO SPEAK TO THE BOARD

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

✓ Name Steve Micciche

Legal Address 193 Enchanted Forest S. Depew NY 14643

✓ Name Anthony Cirocco

Legal Address 249 Richmond Ave Buffalo NY 14222

✓ Name Eric Miller

Legal Address 37 Martha St.

✓ Name Mike Painter

Legal Address 15 Elizabeth Street

NO Name BOB WINKLER

Legal Address 2006 WILSONS AVE

✓ Name HARRY WEISSMAN

Legal Address PO BOX 1166

✓ Name Melanie Pritchard

Legal Address 6493 Pine Tree Rd Ellieville NY

SIGN IN SHEET TO SPEAK TO THE BOARD

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

✓ Name Sheldon MacDonell

Legal Address 10 ELIZABETH ST.

✓ Name SCOTT WALTERS 333 WASHINGTON

Legal Address 84 SWEENEY ST. N.Y.C.

✓ Name AARON GLAZER

Legal Address 52 JEFFERSON ST.

✓ Name Brian Hutchins

Legal Address 3572 MATTHEW DR. WASHINGTON

✓ Name Bryan Keenan

Legal Address 21 Madisa Ellicottville New York

✓ Name Kevin Lester

Legal Address 48 JEFFERSON

✓ Name Jean Kirsch

Legal Address 3 Jefferson St

SIGN IN SHEET TO SPEAK TO THE BOARD

✓ Name Greg Kerl

Legal Address 4204 Eckhardt Road Eden NY 14057

✓ Name Dynda + Laszlo Newwinkle

Legal Address 28 Jefferson

✓ Name Tram Schrock

Legal Address 214 West Shore

✓ Name Frank S. Wolfe

Legal Address 8124 FLOE E. Ament

✓ Name KRISTEN SALVAMOMEN

Legal Address 66 Coburg Street Buffalo NY 14216

✓ Name MIKE MCGORRY

Legal Address 26 Elizabeth

✓ Name PAUL WINKLER  
Paul Winkler

Legal Address 441 Mills

✓ Name RICHARD WILSON  
- STEFANS

Legal Address WASHINGTON ST

SIGN IN SHEET TO SPEAK TO THE BOARD

Name Jamie Vaaran Vaaran

Legal Address Steger M. Koon

Name Michael F. G.

Legal Address M.

Name Amy Y. Tines

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

SIGN IN SHEET

Name William Putchard

Legal Address 6846 Tullis Rd, Ellicottville

Name Melanie Putchard

Legal Address 6493 Pine Tree Rd Ellicottville NY 1472

Name DAVE FRANK/STEVE

Legal Address 43 JEFFERSON ST - E-VILLE

Name Colette Schwenning

Legal Address 6027 Martin Corners Rd

Name E. PAUL SMITH

Legal Address 1464 EAST HILL RD. FRANKLINVILLE NY 14737

Name DAVID CAIRNS

Legal Address 2497 LOWER 166 CRCS OAKVILLE LBH 242

Name Michelle Winkler

Legal Address 25 W Washington

Name JAMIE VAANBERK

Legal Address 8609 Mill Creek Dr.

SIGN IN SHEET

Name Mike McDonald

Legal Address 21 Woodgate 14086

Name Dave Bush

Legal Address PO Box 332 Elliotville

Name Sue Mariacher

Legal Address 90 Winspear Elma

Name MS BROWN

Legal Address 1 MONROE ST

Name KEVIN LESTER

Legal Address 48 JEFFERSON

Name Sharon Mathe

Legal Address 7457 Brecken rd

Name SEAN LOWES

Legal Address 13 ELK ST

Name B McFadden

Legal Address 6814 H.V. Road

SIGN IN SHEET

Name Shanell Kiersz

Legal Address PO Box 1111 Fuller NY 14731

Name Susan A M'Wick

Legal Address 22 Rockwellave EVL

Name Drew CERZA

Legal Address 6674 Maples Rd

Name Mike McGorry

Legal Address 1 Coaster Ct Arhurst 14220

Name Nancy Rogan

Legal Address 23 Madison St, Eville

Name AMY DETINE

Legal Address 5814 BREWER RD GREAT VALLEY 14741

Name PAUL WEMPLE

Legal Address 44 MILL STREET E'ville

Name Stephen P. Gillo

Legal Address 5 VAN BUREN EVILLE



SIGN IN SHEET

Name Kathleen Moriarty

Legal Address 12 Monroe St

Name Frank G. Acebore

Legal Address 8124 FLOES F. Ankerst Ny.

Name KENKER

Legal Address 214 W. S. HORTON C. J. 1212

Name Kaysie Griffith

Legal Address 872 Reed Hill Rd. EAST GHO NY 14729

Name Scott Johnson

Legal Address \_\_\_\_\_

Name Dave Blarhard

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

Name \_\_\_\_\_

Legal Address \_\_\_\_\_

**ORGANIZATIONAL MINUTES OF THE VILLAGE  
BOARD**

**OF THE VILLAGE OF ELLICOTTVILLE**

**ELLICOTTVILLE VILLAGE HALL**

**May 20<sup>th</sup>, 2019**

**Call meeting to order at 8:45PM**

**Pledge to the flag**

**Appointments**

Deputy Mayor- Joe DiPasquale by Mayor Burrell

Village Clerk- Mary J. Klahn

Village Treasurer-Mary J. Klahn

DPW Superintendent-Mark Chudy

Water Operator-Tom Dineen

Sewer Operator-Gerard Stokes

Registrar of Vital Statistics-Mary J. Klahn

Village Attorney-Richard Stanton

Village Attorney for Planning and Zoning (If Needed)-Hodgson and Russ

Village Engineer- Niles Pierson

Village Accountant- Bridges, Horning and Company, PC

Village Planner- Gary Palumbo, AECOM

Village Zoning Board of Appeals-Fred Musolff

Village Planning Board-Sandy Reed

Motion by: Mr. Murray to ratify all above appointments

Seconded by: Mr. DiPasquale All ayes. Carried

### **Official Depositories**

Five Star Bank  
M & T Bank  
Cattaraugus County Bank

Motion by: Mr. Murray  
Seconded by: Mr. Cappelli All ayes. Carried

### **Official Newspapers**

The Villager  
Ellicottville Times

Motion by: Mr. Cappelli  
Seconded by: Mr. DiPasquale All ayes. Carried

### **Commissioners**

Budget officer- John Burrell  
Zoning and Planning-Greg Cappelli  
Parks-Patra Lowes  
Beautification-Joe DiPasquale  
Streets- Patra Lowes  
Water-Greg Cappelli  
Sewer-Spencer Murray  
Refuse-Patra Lowes  
Sidewalks-Patra Lowes  
Special Events-Spencer Murray

Motion by: Ms. Lowes  
Seconded by: Mr. Murray All ayes. Carried

### **Beautification Committee**

Becky Connolly, Joyce Evans, Susie Evans, Gail Grillo, Judy Gross, Jane Hilbert, Barb Hirst, Gail Niparts, Janet Parenti, Sue Parsons, Lynn Reading, Leah Rusiniak, Gloria Sadowski, Nancy Taylor, Jodie Timkey, Marilyn Tompkins, Carolyn Widger, Nita Widger –Wiechman and Debbie Yantomasi.

Motion by: Mr. Cappelli  
Seconded by: Mr. Murray

### **Park Committee**

Todd Palmateer, Nate Farnam, Joe Meyers, Dana John

Motion: by Mr. Murray

Second: by Ms. Lowes

### **Time and Place of Meetings**

#### **The third Monday of the month**

Motion by: Mr. Murray

Seconded by: Mr. Cappelli

### **Authorize the Tax Collector to Collect Taxes**

Motion by: Mr. Cappelli

Seconded by: Mr. DiPasquale All ayes. Carried

### **Official Holidays**

New Years Day- January 1, 2020  
Martin Luther King Day- January 20, 2020  
President's Day- February 17, 2020  
Good Friday- April 10, 2020  
Memorial Day- May 27, 2019  
Independence Day- July 4, 2019  
Labor Day- September 2, 2019  
Columbus Day- October 14, 2019  
Veteran's Day- November 11, 2019  
Thanksgiving Day- November 28, 2019  
Day after Thanksgiving Day- November 29, 2019  
Christmas Day- December 25, 2019  
Day before Christmas- December 24, 2019  
½ of New years Eve- December 31, 2019

Motion by: Mr. Murray

Seconded by: Mr. Cappelli All ayes. Carried

### **Employee Benefits**

1. One sick day per month accumulative to 120 days. The Board and or the Mayor May ask for a Doctor's Certificate if they feel the privilege is being abused.
2. Three Personal days per year. They may not accumulate from year to year.
3. One week vacation after first year of service is completed. Two weeks after the second year of service. One day per year up to a maximum of twenty days.

- (Which includes the two weeks), after the second year of completed service.
4. Paid Holidays as adopted at the Annual Organization Meeting.
  5. Paid Health Insurance up to and including \$947 per month for Family Coverage and \$351 per month for Single Coverage and \$710 per month for Employee and Spouse Coverage. Any future increases (starting 2003) the Village will cover 2/3 and the employee will pay 1/3 out of their pay.
  6. New York State retirement.
  7. Probation period for new hires is 6 months. Insurance upon hire.  
Motion: by Mr. Murray  
Second: by Mr. DiPasquale Vote – Mr. Murray – Yes, Mr. DiPasquale-Yes, Mr. Burrell – Yes, Mr. Cappelli – No, Ms. Lowes - No
  8. Mileage according to IRS rate if on Village business.
  9. Minimum call out time is 3 hours.
  10. Employee wages and salaries as adopted in the Annual Village Budget. New DPW employees will start at \$16.29 per hour.
  11. All sick leaves will be used before disability begins.
  12. In the event of a death in the immediate family of an employee, he/she shall be Entitled, at his/her option, to three days off with regular pay to arrange for and attend the funeral and burial. If travel is required, extended time may be granted at the discretion of the Mayor. Immediate family shall include: husband, wife, companion, mother, father, child, grandchild, brother, sister, brother-in-law, sister-in-law, father-in-law, mother-in-law, grandmother, grandfather, stepmother, and stepfather. The above time shall not be deducted from sick leave, vacation or personal time.
  13. Overtime pay will be paid at time and a half.

Motion by: Mr. Murray

Seconded by: Mr. Cappelli All ayes. Carried

### **Investment Policy**

The objectives of the investment policy of this local government are to minimize risk, to insure a competitive rate of return. In accordance with this policy, the Chief Fiscal Officer is hereby authorized to invest all funds including proceeds of obligations in:

Certificates of Deposit, savings, money market, issued in a bank or trust company authorized to do business in New York State; Obligations of the United States Government.

The Village designates the following banks as official depositories:

M&T Bank, 47-49 Washington St., Ellicottville, NY

Five Star Bank, 54 Washington St., Ellicottville, NY

Cattaraugus County Bank, 120 Main St., Little Valley, NY

Collateral:

Certificates of Deposit shall be fully secured by insurance of the Federal Deposit Insurance Corporation or by obligations of Federal agencies the principal and Interest of which are guaranteed by the United States or by obligation of New

York State Local Governments.

Collateral shall not be required with respect to the direct purchase of obligations of New York State, obligations of Federal Agencies the principal and interest of which are guaranteed by the United States Government.

The Board of Trustees shall review and approve the investment policy, at least annually, and if practicable, at its annual organizational meeting and the and the members shall review and amend, if necessary these investment policies.

The provisions of these investment guidelines shall take effect prospectively, and shall not invalidate the prior selection of a custodial bank or prior investment.

Motion by: Mr. Cappelli

Seconded by: Mr. Murray All ayes. Carried

### **Procurement Policy**

Whereas, Section 104B of the General Municipal Law (GML) requires every village to adopt internal policies and procedures governing all procurement of goods and services not subject to the requirements of GML 103 or any other law; and Whereas, the Village of Ellicottville, NY does hereby adopt the following procurement policies and procedures:

Guideline 1. Every prospective purchase of goods or services shall be evaluated to determine the applicability of GML 103.

Guideline 2. All purchases of;

- A) Supplies or equipment which will exceed \$20,000 in the fiscal year.
- B) Public Works contracts over \$35,000 shall be formally bid pursuant to GML 103.

Guideline 3. All estimated purchases of;

Less than \$20,000 but greater than \$6,000 require a written request for a responsible formal proposal (RFP) and written/fax quotes from three vendors.

Less than \$6,000 but greater than \$2,000 require an oral request for the goods and oral/fax quotes from 2 vendors.

Less than \$2,000 but greater than \$500 are left to the discretion of the Purchaser.

All estimated public works contracts of;

Less than \$35,000 but greater than \$17,500 require a written RFP and fax proposals from 3 contractors.

Less than \$17,500 but greater than \$5,250 require a written RFP and

fax proposals from 2 contractors.

Less than \$5,250 but greater than \$875 are left to the discretion of the Purchaser.

Any written quote shall describe the desired goods, quantity and the particulars of delivery. The purchaser shall compile a list of all vendors from whom written/fax/oral quotes offered.

All information gathered in complying with the procedures of this guideline shall be preserved and filed with the documentation supporting the subsequent purchase or public works contract.

- Guideline 4. The lowest responsible proposal or quote shall be awarded the purchase or public works contract unless the purchaser prepares written justification providing reasons why it is in the best interest of the Village and its taxpayers to make an award to other than the low bidder. If a bidder is not deemed responsible, facts supporting that judgment shall also be documented and filed with the record supporting the procurement.
- Guideline 5. Notwithstanding the foregoing, the Village authorizes the use of best value standard as part of the Village procurement policy pursuant to Village of Ellicottville Local Law No. 4 of the year 2012 and 103(1) of New York General Municipal Law.
- Guideline 6. A good faith effort shall be made to obtain the required number of proposals or quotations. If the purchaser is unable to obtain the required number of proposals or quotations, the purchaser shall document the attempt made at obtaining the proposals or quotes are a bar to the procurement.
- Guideline 7. Except when directed by the Village Board, no solicitation of written Proposals or quotations shall be required under the following Circumstances:
- A) Acquisition of professional services ( If the Board does so direct, then solicitation of RFP's and quotes shall be required to obtain competitive pricing).
  - B) Emergencies
  - C) Sole source situations
  - D) Goods purchased from agencies for the blind or severely handicapped.
  - E) Goods purchased from correctional facilities
  - F) Goods purchased from another governmental agency
  - G) Goods purchased for less than \$500.00
  - H) Public Works contracts for less than \$875.00

Guideline 8. This policy shall be reviewed annually by the Village Board at its annual organizational meeting or as soon thereafter as is practical and communication with Niles Pierson.

Motion by: Mr. Cappelli  
Seconded by: Mr. Murray All ayes. Carried

#### **Advance Approval of Claims**

Resolved, that the Village Board authorizes payment in advance of audit of claims for Public utility services, postage, freight, express charges and credit card charges and all Such claims shall be presented at the next regular meeting for audit and the claimant and officer incurring or approving the same shall be jointly and severally liable for any amount disallowed by the Board. This resolution shall take effect immediately.

Motion by: Mr. Cappelli  
Seconded by: Mr. Murray All ayes. Carried

#### **Summer Part-time Workers**

Resolved, that the wage of part-time summer workers is set at a minimum of the New York State Minimum wage or as decided by the Board and 50 cents extra for returning help.

Motion by: Mr. Cappelli  
Seconded by: Mr. Murray All ayes. Carried

#### **Part-time Workers**

Resolved, that the wage for part-time workers be up to \$16.29

Motion by: Mr. Cappelli  
Seconded by: Mr. Murray All ayes. Carried

#### **Milage Allowance**

Resolved, that the Board shall approve reimbursement to such officers and employees at the IRS rate per mile.

Motion by: Mr. Murray  
Seconded by: Mr. Cappelli

#### **Salaries and Wages for 2019/2020**



Motion by: Mr. Cappelli

Seconded by: Mr. Murray Mr. Cappelli – Yes, Mr. Murray – Yes, Mr. DiPasquale – Yes,  
Mayor Burrell – Yes, Ms. Lowes - No

**Adjournment**

Motion by: Mr. Cappelli at 9:15pm.

Seconded by: Mr. DiPasquale All ayes. Carried

**Village of Ellicottville Board Meeting  
June 17, 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>Spencer Murray</b>	<b>Trustee</b>
	<b>Richard Stanton</b>	<b>Attorney</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Mary Klahn</b>	<b>Clerk</b>

**Also attended:** Caitlan Croft, John Thomas, Gary Palumbo, Kathleen Moriarty and Doug Bush.

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

**Good News**

County Sales Tax Distribution \$99,307.54  
County Mortgage Tax Distribution \$4,203.80

**Business From the Floor**

Linda Neuwirth, Controlling the noise within the Village. – Did not attend.

**Approve minutes**

Regular Meeting Minutes 5/20/2019

Much discussion on a policy on shared services. Richard Stanton needs to come up with a statement. Change from Walk to Streets for Special Event. Also, rewrite the public hearing notes.

**Motion:** to approve the regular minutes with changes by Mr. Cappelli.

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

**Motion:** to approve the Organizational Minutes by Mr. Cappelli.

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

Budget modifications on the 28<sup>th</sup> we will be working on during the Fiscal year end.

**May Financial Report and Audit of Claims**

**Motion:** to accept the May financial report by Mr. Cappelli.  
**Second:** by Mr. Murray All ayes. Carried

Question on Kelly Fredrickson's voucher 1790

**Motion:** by Mr. Murray to Pay the Bills  
**Second:** by Mr. Cappelli with explanation of voucher 1790.

### **Mayor's Report**

4/25/19 Joint Fire Commission Meeting Minutes

DRI Application filed on time 05/31/2019

Skate Park Meeting at Town Center on 5/23/19

DRI Jeff Belt on 6/4/2019

6/5/2019 Meeting with Joe Crimi NYPA LED Street Light Conversion

6/11/2019 WNY Scenic Byway Meeting

6/12/2019 Water Dist. Meeting

6/21/2019 J.B. Maine

7/8/2019 DRI Presentation – Buffalo 4:00

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

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

##### **Planning Report**

**Motion:** to approve the Planning Report by Mr. Cappelli.  
**Second:** by Mr. Murray All ayes. Carried

#### **Engineering – Niles Pierson**

**Motion:** to accept the Engineering Report by Mr. Cappelli.  
**Second:** by Mr. Murray All ayes. Carried

LED street light conversion for the Town and Village. A meeting was held with NYPA on 6/5. Niles, Mayor Burrell and Joe Crimi attended. LED streetlight conversion vs. purchasing was discussed. Basically over time we would have significant savings.

Update on Baseball Field Grant: Need one more bill from Northrup Construction. Needs to take place before the 28<sup>th</sup> of June.

Sexual Harassment training on July 9<sup>th</sup>. 9:00 am. Randy Glenn from Evans Agency does not recommend letting outsiders take the training.

Installing a dry well to help with the drainage at the Village Park, 12 willow trees were planted to help with the issue.

Paving was done today on Martha, McKinley and Town Hall entrance.

Lagoon masters will be installed tomorrow at the sewer plant.

Installing a new water main on Maybe alley. We need a larger water service at Dinas, the old M&T building. This will improve water flow by a few hundred gallons a minute. Dina will be paying for all of the materials and we will be installing it.

**North Well Cleaning Proposal** – 5 years since it has been done \$16,350.00.

**Motion:** by Mr. Cappelli to clean the north well but wait until we become a joint district.

**Second:** by Ms. Lowes All ayes. Carried

Space Study of all municipal public buildings and current space allocation has been completed and delivered to Town Supervisor and Mayor Burrell for initial review. Greg Cappelli thanked Niles for doing the study.

Discussion about the parking at the Village Park. Need to talk with the coaches about proper parking.

Skate Park – Mayor Burrell said there might be a grant available for \$150,000 and it is looking realistic. Friday is national skate day. Party at the park from 4 – 8. on June 21<sup>st</sup>.

### **Sidewalks**

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

Rock autism is coming up in September and will be held at the Village Park. Stroll the Streets is the same as last year.

**Motion:** to approve Stroll the Streets by Mr. Murray

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

### **Refuse – Patra Lowes**

Paper bags on Elk Street have been there for 3 weeks stated Mayor Burrell. Mr. Cappelli stated that we should write a ticket or warning by the DPW. The first time should be a written warning.

Local law #2 of 2015 is intended for the DPW to write tickets.

### **Parking**

Ms. Lowes asked about 2 hour parking on Monroe Street. Need to talk with the police. Ms. Lowes stated that we have an employee parking problem. Mr. Cappelli stated that

we need a long term solution for the local businesses by reclaiming 24 Rockwell as a parking lot could solve the problem

### **Old Business**

SEQRA, Proposed Zoning Amendment – Short Term Rentals

Proposed Zoning Code Amendment – Next step has to do with adopting the amendment and SEQR . Need to be comfortable with part 2. The negative declaration needs to be gone over thoroughly.

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

**Second:** by Ms. Lowes All ayes. Carried

**Motion:** to come out of executive session by Mr. Cappelli.

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

### **Old Business**

### **New Business**

Property behind the lots of Rockwell, Mill and Martha owned by Norm Leyh the price has been significantly reduced. We cannot make an offer before an appraisal. The property has two entrances, one from Mill Street and one from Martha. It could be a possibility if we get the DRI grant.

Mayor Burrell received an email from Greg Kerl stating that he has done work on the private road. There is an agreement on his deed for the private road upkeep of 22 Rockwell and being the Village now owns 24 Rockwell states that all three parties will pay the upkeep. Now that the village is an owner we are obligated to pay a third. Bill is dated June 3<sup>rd</sup> 2019. We should have been notified prior to doing the upkeep. Greg Cappelli stated that the dumpster needs to possibly be moved. Richard Stanton needs to see the agreement before paying the bill.

Village Tax bill to the Village of Ellicottville – We have delinquent water and sewer amount on the bill. This should be forgiven being we bought it for a dollar. The property is exempt and we need to talk to the County.

Annual letter from the Unified Court System – We need to audit the court. Court will be gone on July 31<sup>st</sup>. We need to have an accountant do the final audit. We will ask Jenn Morey if the new Bridges Firm will do the audit.

### **Adjournment**

**Motion:** by Mr. Cappelli to adjourn.

**Second:** by Ms. Lowes All ayes. Carried