

**MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE
November 18, 2015 at 6:00 pm
ELLCOTTVILLE TOWN HALL**

<u>Present:</u>	John Burrell	Supervisor
	Ken Hinman	Councilman
	Rick Jackson	Councilman
	Steve Crowley	Councilman
	Greg Fitzpatrick	Councilman
	Robyn George	Town Clerk
	Loyd Hovey	Highway Superintendent
	Mark Alianello	Town Engineer
	Kathleen Moriarty	Attorney for Town

Also Present: Jann Wiswall, John Thomas, Harry Weissman, Larry Spry, Jim Bouchard, Matt McAndrew

Call meeting to order:

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

Good News

- 3rd Quarter Sales Tax

The Town received its sales tax check of \$360,779.62.

- Budget

The Town's 2016 budget is complete and the public hearing was held on Friday, November 13th.

Approve Minutes

- Town Board Meeting –October 21, 2015

On motion by Mr. Jackson and second by Mr. Fitzpatrick the minutes of the October 21, 2015 Board Meeting were

Accepted Ayes 5 - Burrell, Hinman, Crowley, Fitzpatrick & Jackson
 Nays 0

Audit of Claims

- Pay Town bills on Distribution Report #10-15

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

Accepted Ayes 5 - Burrell, Hinman, Fitzpatrick, Crowley & Jackson
 Nays 0

Resolved that the Town bills be paid on General Ledger Distribution *Report 10-15* as follows:

001 - General Fund A:	\$ 120,835.19	
002 - General Fund B:	\$ 16,122.45	
		General Fund Total: \$136,957.64
003 - Highway DA	\$ 4,715.29	
004 - Highway DB	\$ 118,135.75	
	Highway Fund Total:	\$122,851.04
	006 - Water Fund Total	<u>\$ 6,880.49</u>
	Grand Total:	\$266,689.17

Supervisor's Reports

- Supervisor's Report

On motion by Mr. Hinman and second by Mr. Jackson the Supervisor's November 2015 Financial Report was

Accepted Ayes 5 - Burrell, Hinman, Fitzpatrick, Crowley & Jackson
 Nays 0

- Court Audit

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
 Nays 0

Resolved that the Town Board acknowledge the receipt of the audit of the Town of Ellicottville Court for the year 2014 as conducted by Tronconi, Segarra & Associates and accept it as such.

The auditors will be meeting with Court Officials to review their findings.

- Town Audit

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
Nays 0

Resolved that the Town Board acknowledge the receipt of the audit of the Town of Ellicottville for the year 2014 as conducted by Tronconi, Segarra & Associates and accept it as such.

- Town Planner

Supervisor Burrell received proposals from Clark Patterson Lee and AECOM to provide professional services as planning consultants. The current Town Planner will be retiring at the end of the year. Mr. Burrell will ask the chairs of the Planning Board and ZBA to be involved in interviewing perspective planners. Mr. Crowley, Mr. Fitzpatrick, Mr. Alianello and Ms. Moriarty volunteered to be on the interview committee..

- Executive Session

MOTION by Mr. Fitzpatrick and seconded by Mr. Hinman to go into executive session at 6:20 pm to discuss personnel matters. All Ayes. Carried.

MOTION by Mr. Hinman and seconded by Mr. Jackson to close the executive session and resume the regular session at 6:47pm. All Ayes. Carried.

Present Written Department Reports for Approval

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

On **motion** by Mr. Crowley and second by Mr. Jackson the Clerk's Report, Justice Report, Building Inspectors Report, Police Report, and the Planners Report were:

Accepted Ayes 5 - Burrell, Hinman, Crowley, Fitzpatrick & Jackson
Nays 0

Department Heads

Don Auge – Police Department

- Plate Reader

The plate reader was switched from one police vehicle to another in order to spread out the mileage between vehicles. It was done at minimal expense because all of the parts were transferable.

Auge is looking into buying a new police vehicle by piggy backing the Town's purchase on a Chautauqua County order, thereby satisfying the State Bid requirement.

The Police Department will be sending an officer to radar training and a data master training school is coming up.

Loyd Hovey - Highway Department

Mr. Hovey updated the Board on the status of the Town roads and the work that is being done on the highway vehicles. He asked about buying a tire changer and was told if there is money left in the budget, he could order one.

- Fuel Storage Roof

The money for the fuel storage roof is in the budget for 2016.

- Peterbilt Truck

The sander will be put on the new Peterbilt truck. It cannot be inspected until the sander is on.

- Drainage on Horn Hill

Drainage is a concern for a property owner on Horn Hill. It was determined that part of the problem is the run off caused by a neighbor's cement driveway. Mr. Hovey and Mr. Alianello will look into the issue.

Mark Alianello, PE – Engineering Department

- East Tank

All paperwork has been submitted for the Empire State Development Grant and the Town hopes to receive the grant money by the end of the year.

- Jackman Hill Tower Strobe Light

There have been several complaints about a bright strobe light that was recently installed on a tower on Jackman Hill Road. Mr. Alianello found there to be two towers, both with strobe lights. The one that seems to be the brightest is owned by the FAA. He is trying to find a contact for the towers so he can see why the strobe lights were installed and if they can be replaced with something less intrusive.

- Middle Zone Water Loop

The Middle Zone Water Loop has been completed and the cost of the project was well under the original budgeted amount.

Harry Weissman - Assessor

Mr. Weissman reported that according to the County Assessor's Association, the state of Ellicottville's assessments is in good shape. He pointed out that Allegany budgeted for a \$147,000.00 reassessment project, whereas Ellicottville is able to keep assessments current, in house.

Robyn George - Clerk

- Delinquent Water Bills

On **motion** by Mr. Crowley seconded by Mr. Jackson the following resolution is accepted:

Ayes 5— Burrell, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

RESOLVED that the Town Clerk is authorized to levy any and all water bills which are delinquent more than two (2) quarters onto the 2015 Town & County tax bills as presented in the amount of \$5,550.53.

New Business

- BAR Appointment

Cathy Pritchard's term on the Board of Assessment Review has expired. Mr. Burrell suggested the appointment be made at the organizational meeting.

- 2016 Budget

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

Accepted: Ayes 5- Burrell, Hinman, Crowley , Jackson & Fitzpatrick
Nays 0

Resolved that elected officials will not be eligible to receive paid health insurance from the Town;

Therefore the 2016 budget line for the Town Supervisor's position will reflect an increase in salary comparable to the cost of single health insurance coverage in addition to the overall 2% raise to compensate for the loss of that benefit.

Discussion followed that the Clerks may have added workload and need additional part-time help.

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
Nays 0

Resolved that the 2016 preliminary budget be amended to add \$15,000.00 to account 001-1410-0102 and decrease the General A unexpended balance appropriations by \$15,000.00.

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
Nays 0

Whereas, notice of the completion of the preliminary budget for the fiscal year 2016 and notice of the public hearing on such budget was duly published and held according to Town Law,

Resolved that the preliminary budget for the fiscal year 2016, as amended by the aforementioned motion, is adopted.

The 2016 tax rate of \$1.21 per thousand of assessed valuation as outlined in the Adopted Budget will be the same as last year's rate.

- Working Supervisor Position

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
Nays 0

Resolved that the Town create a new management confidential position entitled "Working Supervisor" as described by Cattaraugus County Civil Service to work for the Highway Department.

The position was offered to Loyd Hovey who will consider it.

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

Accepted: Ayes 5 - Burrell, Hinman, Crowley, Jackson & Fitzpatrick
Nays 0

Resolved that the Town appoint Mark Alianello to the position of Highway Superintendent for a term of two years.

Mr. Alianello will consider the offer and report back to the Board at the next meeting.

Old Business

- Noise Law

The Noise Local Law was referred to the planning board for their input. Because the planning board has no jurisdiction to pass local laws, they elected not to give a formal opinion on the subject.

Since the wording in the current Noise Local Law does not specifically address hours of allowed noise on Saturdays, Ms. Moriarty was asked to update the law.

- Personnel Files

Since some questions have been brought up as to who should have custody of personnel files, Mr. Burrell is asking that Ms. Moriarty research the subject.

- Alarm Local Law

At last month's meeting Ms Moriarty was asked to find out why some Village properties are required to get an Alarm permit from the County. The answer seems to be that since the Town has its own Alarm Local Law, Town properties are exempt from the County Law, but Village properties are not.

Correspondence

- Catt. Co. DPW - Town Line Road Speed Limit.

Adjournment

Motion by Mr. Hinman and second by Mr. Jackson to adjourn the meeting at 7:52pm. 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 18th day of November, 2015, approved by said Board on the 16th of December, 2015.

Robyn A. George, Town Clerk