

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE
May 18, 2016 at 6:00 pm
ELLICOTTVILLE TOWN HALL

<u>Present:</u>	Mathew McAndrew	Supervisor
	Ken Hinman	Councilman
	Rick Jackson	Councilman
	Steve Crowley	Councilman
	Greg Fitzpatrick	Councilman
	Robyn George	Town Clerk
	Mark Alianello	Town Engineer
	Kathleen Moriarty	Attorney for Town
	Don Auge	Officer in Charge
	Tom Scharf	Highway Superintendent

Also Present: Jann Wiswall, Press

Call meeting to order:

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

Approve Minutes

- Town Board Meeting -April 20, 2016
- Town Board Special Meeting - April 27, 2016

On motion by Mr. Hinman and second by Mr. Fitzpatrick the minutes of the April 20, 2016 Board meeting were

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

On motion by Mr. Fitzpatrick and second by Mr. Crowley the minutes of the April 27, 2016 Special Board meeting were

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

Audit of Claims

- Pay Town bills on Distribution Report #05-16

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

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

Resolved that the Town bills be paid on General Ledger Distribution Report 04-16 as follows:

001 - General Fund A:	\$ 20,837.09	
002 - General Fund B:	\$ 2,939.30	
		General Fund Total: \$23,776.39
004 - Highway DB	\$ 14,154.10	
Highway Fund Total:	\$ 14,154.10	
	006 - Water Fund Total	<u>\$ 37,774.87</u>
	Grand Total:	\$75,706.36

Supervisor's Reports

- Supervisor's Report

On motion by Mr. Crowley and second by Mr. Hinman the Supervisor's April 2016 Financial Report was

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

- Rotary Meeting - Memorandum of Understanding

The Rotary Club has asked the Town to make the Town Center facility available for all non-profit groups, free of charge. The Board pointed out that the Joint Town/Rotary Club Committee would handle these requests. Establishing a "clean up" fee for non-profit gatherings was talked about.

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

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

Resolved that Supervisor McAndrew is authorized to sign the Memorandum of Understanding between the Town of Ellicottville and the Rotary Club of Ellicottville as presented.

- Nannen Arboretum Society Meeting

The Memorandum of Understanding between the Town and the Arboretum Society is being reviewed by the Arboretum Society. The Board decided that the agreement should have a clause that says the agreement is renewable every 2 years. A few other changes were agreed upon. Ms. Moriarty will incorporate these changes into the MOU and present them at the next meeting.

- Town Hall HVAC System

Supervisor McAndrew and Mr. Alianello reviewed the quotes for the installation of a heating and cooling system for the Town Hall. Mr. Alianello was asked to write up specs based on the system that RP Mechanical proposed. The project will then be put out for bid.

- Local Law to Override Tax Levy Limit

Although the Board does not know if it will exceed the tax limit for next year's budget, they decided it would be prudent to have the following local law enacted to leave all options open.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NO. 2 - 2016

WHEREAS, there has been duly presented and introduced at a meeting of the Town Board of the Town of Ellicottville held May 18, 2016 a proposed Local Law entitled

“A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2017”

WHEREAS, no Local Law shall be adopted until a Public Hearing thereon has been held by the Town Board of the Town of Ellicottville upon at least five (5) days notice, now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the said proposed Local Law by this Board on the 15th day of June, 2016 at 6:00 o'clock pm at the Town Hall, Town of Ellicottville, NY, and that at least five (5) days notice of such Hearing shall be given by the Town Clerk by the due posting thereof upon the Bulletin Board of the Town and by publishing such notice at least once in the official newspaper of the Town.

- Four Flushers Meeting

Kevin Morton has been instructed to report his water department activities to Mr. Alianello on a regular basis. He currently keeps a log book which was made available to the Board.

Supervisor McAndrew provided the Board with information on "toughpads". They could be a useful tool for the water department to map and record data. The cost of the pads could be split with the Village.

The extent of damage to Trillium Road due to the heavy equipment that used the road in the Sewer Treatment Plant project was discussed. The Board agreed that the Village is responsible for returning the road to its pre-construction condition.

- Sidewalk Plow Repair

A quote for the repair of the sidewalk plow which is used in the Town and the Village was presented to the Board. Mayor Burrell has requested that the Town pay for half of the expense which has been its past practice.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

Resolved that the Town will pay for half of the expense of repairing the sidewalk plow.

Executive Session - Deputy Highway Position

On Motion by Mr. Fitzpatrick and second by Mr. Hinman the Board went into executive session at 6:47pm to discuss the Deputy Highway Superintendent position. All Ayes. Carried.

On Motion by Mr. Crowley and second by Mr. Hinman to resume regular session at 7:09pm. All Ayes. Carried.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

Resolved that Deputy Highway Superintendent Frank Moore wage be increased from the red flag amount of \$.59 per hour as specified in the Union Contract to \$2.10 per hour pending approval from Teamster's Union No. 264. The raise will be retroactive to May 2, 2016.

Present Written Department Reports for Approval

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

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

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

- Department Heads

Don Auge – Police Department

OIC Auge reported that both the American Cancer Society Boot Drive and the recent half marathon went well with no major traffic issues.

He also reported that the new Tahoe was in and discussion followed on what to do with the old vehicle.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

Resolved that the Town Board ratify OIC Auge's appointment of Robert Rinfrette to the position of Part Time Patrolman.

Mr. Fitzpatrick commended Officers Auge and Philipps for their help in a medical emergency that happened at Fitzpatrick and Weller last week.

Mark Alianello - Highway Department

- Highway Intern Pay Rate

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Jackson and Crowley
Nays 0

Resolved that the rate of pay for the Highway Department Summer Intern be set at \$14.00 per hour.

- Gravel Bids

Bids for processed gravel and limestone were received from Buffalo Crushed Stone, Machias Sand and Gravel and Gernatt Asphalt Products and opened on May18, 2016at 10:00am..

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

Accepted Ayes 5 -McAndrew, Hinman, Crowley, Jackson and Fitzpatrick
 Nays 0

Resolved that the Highway Superintendent, Tom Scharf, is authorized to choose the low bid for each product needed.

- Request to Catt. Co. DPW

A request has been sent the County DPW for assistance in surveying and obtaining permits for culvert projects.

- Work Plan

Mr. Alianello provided a schedule of projects the Highway Department is planning. It includes work on Sommerville Valley, Upper, Deer Crossing and Holiday Valley Roads. The estimated cost of these projects is \$276,997.83. Culvert work will also be done.

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

Accepted Ayes 5 -McAndrew, Hinman, Crowley, Jackson and Fitzpatrick
 Nays 0

Resolved that Mr. Alianello is authorized to send the Road Improvement Plan for the 2016 season to the County.

- Roof over Fuel Storage

Mr. Alianello was asked to advertise for bids for the construction of a roof over the fuel storage at the Highway facility. There is \$15,000.00 in the budget for the project..

Mark Alianello - Engineering Department

- Booster Station #1

The specs for the upgrade to Booster Station #1 will be ready for next month's meeting. Mr. Alianello presented the Board with an Agreement between Town of Ellicottville Water District No. 1 and MDA Consulting Engineers, PLLC for Engineering Services for Proposed Booster 1 Improvement. He added that the cost of these services was factored into the estimated cost of the project.

On motion by Mr. Fitzpatrick, second by Mr. Jackson the following resolution was accepted:

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

Resolved that Supervisor McAndrew is authorized to sign the Agreement between Town of Ellicottville Water District No. 1 and MDA Consulting Engineers, PLLC for Engineering Services for Proposed Booster 1 Improvement on behalf of the Town.

New Business

- AUD Review

Supervisor McAndrew has asked the Board to review the AUD and forward any comments, questions or concerns to him. He, Mr. Fitzpatrick and the Supervisor's Clerk will be meeting with the Accountants to discuss the report.

- Bryant Hill Cemetery

Mr. Hinman will be contacting Crandall's for an estimate on clean up of headstones at Bryant Hill Cemetery.

- Document Storage - Laserfische

Clerk Robyn George has contacted Laserfische and Southern Tier West regarding the electronic storage of documents. Although the program was highly recommended by Southern Tier West, the setting up and scanning of documents

can be very time consuming. She was informed by STW that they have been successful in obtaining grants for records management and the Town could be included in the grant. The grants cover some of the expense of hiring a company to scan documents and partnering with STW would save on some of the Laserfische's licensing fees. The process of applying for the grant begins in November and the Clerk will follow up on it.

- Championship Rodeo and Hayride Request

Ellicottville Championship Rodeo (John and Karen Kent) sent a letter announcing the plans for their annual Rodeo, June 30th through July 4th . They have requested a Noise Permit until 1:00am.

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

- Set Wages for Park Program Employees

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

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

Resolved that the Summer Park Program Employees be paid \$9.00 per hour and the Assistant Youth Activity Director be paid \$11.48 per hour.

Old Business

- Procurement Policy Review

Motion by Mr. Hinman and second by Mr. Fitzpatrick to schedule a work session for June 2, 2016 at 4:00pm to review the Procurement Policy. All Ayes. Carried.

- David Golley Memorial

The Highway Department has begun clean up around the Highway facility in preparation for the dedication ceremony which will tentatively be scheduled for this fall.

- Town Center Dumpster

Pouring of a concrete slab and some landscaping for the dumpster at the Town Center was discussed.

- Arboretum Ditch Cleaning

Supervisor McAndrew and Deputy Supervisor Hinman reported that Carl Northrup has volunteered to donate his time and equipment to clean the ditches at the Arboretum.

Kowalski Resignation

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

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

Resolved the Town accept the resignation of Cori Kowalski as full time Police Officer effective May 22, 2016.

The Board thanked him for his service.

Executive Session

On Motion by Mr. Hinman and second by Mr. Jackson the Board went into executive session at 8:30pm to discuss EPOA contract negotiations.. All Ayes. Carried.

On Motion by Mr. Crowley and second by Mr. Jackson the Board resumed regular session at 9:45pm. All Ayes. Carried.

Adjournment

Motion by Mr. Jackson and second by Mr. Hinman to adjourn the meeting at 9:46pm. 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 May, 2016, approved by said Board on the 15th day of June, 2016.

Robyn A. George, Town Clerk