

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE  
SEPTEMBER 21, 2016 at 6:00 pm  
ELLICOTTVILLE TOWN HALL

<b><u>Present:</u></b>	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
	Jim Bouchard	Deputy Officer in Charge
	Tom Scharf	Highway Superintendent

**Also Present:** Dave Dahl, Press, Harry Weissman, Assessor, Kate O'Stricker, Justin Shumaker

**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 - August 17, 2016
- Town Board Special Meeting - August 31, 2016

On motion by Mr. Fitzpatrick and second by Mr. Hinman the minutes of the August 17, 2016 and August 31, 2016 Board meetings were

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

**Privilege of the Floor**

- NYS DOT TAP - EVGV Trail - Kate O'Stricker

Ms. O'Stricker told the Board that the EVGV Trail Committee has applied for a \$1.8 million TAP grant from NYS DOT. The money would be used to build the trail from the school to the old Burger King site and on the west side of Mechanic St. It is an 80/20% grant with the Town responsible for 20% (which the Trail Committee will repay with their fund-raising efforts). Since the grant is only available to municipalities, Ms. O'Stricker is requesting that the Town sponsor the

grant. She is also asking that the Town front the Trail Committee \$10,000.00 to help pay for the preliminary design for the portion of the Trail from the Town Center to Tim Horton's.

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

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

Be it resolved that the Ellicottville Great Valley Recreational Trail Committee is authorized to submit an application for a TAP/CMAQ Grant from the NYS D.O.T. for the Project amount of \$1.8 million under the sponsorship of the Town of Ellicottville. The NYS Grant Request is for \$1,440,000 with the Town of Ellicottville Match of \$360,000.

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

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

Resolved that the Town of Ellicottville give the EVGV Trail Committee \$10,000 with the understanding that the Town be reimbursed. The \$10,000 is to be used to develop preliminary engineering design for the portion of the Trail from the Town Center to Tim Horton's.

### **CAMP Summer Intern Report - Justin Shumaker**

Justin Shumaker presented a report that outlined the work he performed as a summer intern for the highway department. Using the software and training he received from Cornell University, he rated the condition, levels of traffic and importance of the roads in Ellicottville. The program then creates priority values which the Town can use to budget funds. According to the numbers, the Town should be able to upgrade its roads within 6 years and then embark on a long term plan of maintenance. A sign inventory will be done as time allows.

### **Audit of Claims**

- Pay Town bills on Distribution Report #09-16

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** that the Town bills be paid on General Ledger Distribution Report 06-16 as follows:

001 - General Fund A:	\$ 31,181.52	
002 - General Fund B:	\$ 3,687.10	
		General Fund Total: \$34,868.62
003 - Highway DA	50.00	
004 - Highway DB	\$141,996.38	
		Highway Fund Total: \$142,046.38
		006 - Water Fund Total <u>\$ 42,737.30</u>
		Grand Total: \$219,652.30

### **Supervisor's Reports**

- Supervisor's Report

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

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

- Four Flushers

Supervisor McAndrew reviewed the minutes of the Four Flushers meeting. A software program called CUPPS was discussed. It can be used with the Tough Pads to generate a work order log that would help create accountability for 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

Whereas, the acquisition of the CUPPS program and Tough Pads would benefit both the Town and Village of Ellicottville,

Be it resolved that the Town pay one half of the CUPPS program expenses and one half of the price of the Tough Pads.

Problems accessing the East Tank in the winter were discussed. Also, Mr. Alianello updated the Board on the problems with Booster Station #1 which have since been resolved.

- Evans Agency Insurance Quotes

Supervisor McAndrew handed out Insurance Quotes from the Evans Agency to the Board members and asked them to review them and get back to him with their recommendations.

- Rte. 242E - No Parking Signs

At the request of an Ellicottville resident, "No Standing"/ "No Parking" signs will be put up at the National Grid Building on Rte. 242E. The Gas Company and DOT were notified and had no objections.

- Highway Contract Negotiations

Supervisor McAndrew, Attorney Moriarty, Councilman Fitzpatrick and Highway Superintendent Scharf will be meeting on October 13th at 1:30pm to discuss the Highway Contract.

### **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**

#### **Harry Weissman - Assessor**

Mr. Weissman presented a report which listed the year to date real property sales in Ellicottville. He reported that the taxable assessed value has increased for 2017. He said that assessments are staying current and the process is ongoing.

#### **Jim Bouchard – Police Department**

DOIC Bouchard updated the Board on the on the status of police coverage for Fall Festival. He also told the Board that they picked up the new Tahoe. There was some discussion about truckers parking on Rte. 219 in front of Tim Hortons.

## **Tom Scharf- Highway Department**

Superintendent Scharf updated the Board on the work that the Highway Department has been doing to various roads. The possibility of sharing a grader and the services of an operator with other Towns was discussed.

- Highway Department Fuel Depot

Mr. Alianello reconfigured the structure for shelter of the fuel storage depot and priced out the cost of the project using Mike Stang and Paul Timkey to do the work as Town Employees. He figured it to be around \$15,500.

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

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

Resolved that the Town hire Mike Stang and Paul Timkey to construct the Fuel Storage structure and authorize that the materials needed for the project be put out to bid.

- Highway Dept. Employee Interviews - scheduled for Friday, Sept. 23
- NYS OGS Mini-bid for Highway Superintendent's Truck

The request for bids for a new Highway Superintendent's Truck will close on Tuesday at 5:00pm.

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 that Supervisor McAndrew be authorized to accept a satisfactory bid for the Highway Superintendent's truck providing it is within budget.

## **Mark Alianello - Engineering Department**

- Booster Station #1 Bid Results

Four bids were received for the Booster Station No.1 Project and opened on September 16th. The results of the bid were as follows:

Northern Dreams Construction	\$274,500
Kandey Company	\$178,750
H & K Services	\$163,300
STC Construction	\$142,400

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

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

Resolved to award STC Construction, Inc. the bid for the Booster Station #1 Project in the amount of \$142,400 as bid.

- HVAC System - Engineering Proposals

Mr. Alianello received two proposals to analyze the cooling and heating alternatives for the Town Hall. Buffalo Engineer quoted \$12,600 and Nussbaumer & Clarke quoted \$8,950.

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 Town accept the proposal from Nussbaumer & Clarke for analysis of the cooling and heating alternatives for the Town Hall as presented.

### **New Business**

- Water Usage - 2 Bella Vista Drive

The property owners at 2 Bella Vista Drive received a water bill for the 2nd quarter of 2016 showing that the meter recorded over 170,000 gallons of water. The Town has since received a letter from an attorney alleging that it is not possible that the water was used and requesting that the Town adjust the bill. It has always been the policy of the Town to require all customers to pay all charges for all water that passes through the meter.

### **Old Business**

- Approve Court and General Audits

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 to approve the audit and examination of the Town court records (calendar year 2015) by the Independent Accountants of Tronconi, Segarra & Associates as presented.

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 to approve the audit and examination of the General Town records (calendar year 2015) by the Independent Accountants of Tronconi, Segarra & Associates as presented.

- David Golley Memorial

Mr. Crowley informed the Board that the bench for the memorial has been ordered and the bricks delivered. All of the funding is in place. The next step is for the Highway Department to excavate the site. An open house at the Highway facility is planned for October 15th at 10:00.

### **Executive Session**

On Motion by Mr. Hinman and second by Mr. Fitzpatrick the Board went into executive session at 8:40pm to discuss contract negotiations and personnel issues. All Ayes. Carried.

On Motion by Mr. Hinman and second by Mr. Fitzpatrick the Board resumed regular session. All Ayes. Carried.

### **Water - Bella Vista**

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 there will be no adjustment to the Kennedy water bill for 2 Bella Vista Drive with the exception of waiving the late fee.

Mr. Alianello has been asked to notify the Kennedy's of the Board's decision.

**Adjournment**

Motion by Mr. Hinman and second by Mr. Jackson to adjourn the meeting at 9:35pm. 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 21st day of September, 2016, approved by said Board on the 19th day of October, 2016.

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Robyn A. George, Town Clerk