

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE  
NOVEMBER 16, 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
	Don Auge	Officer in Charge
	Tom Scharf	Highway Superintendent

**Also Present:** John Thomas and Christopher Gordon, Press, Holly Saunders

**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 - October 19, 2016
- Town Board Budget Public Hearing Special Meeting - November 2, 2016

On motion by Mr. Crowley and second by Mr. Hinman the minutes of the October 19, 2016 and the November 2, 2016 Budget Public Hearing Special Board meetings were

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

**Audit of Claims**

- Pay Town bills on Distribution Report #11-16

On motion by Mr. Hinman 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 11-16 as follows:

001 - General Fund A:	\$171,669.45	
002 - General Fund B:	\$ 17,160.06	
		General Fund Total:\$188,829.51
003 - Highway DA	\$ 18,723.65	
004 - Highway DB	\$121,213.50	
		Highway Fund Total:\$139,937.15
	006 - Water Fund Total	<u>\$ 9,880.99</u>
	Grand Total:	\$338,647.65

### **Supervisor's Reports**

- Supervisor's Report

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

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

- Four Flushers Meeting

Supervisor McAndrew reviewed the Four Flushers meeting minutes. The new water computer is now in operation. Getting the GPS and GIS systems operational to map the water and sewer systems in an effort to improve maintenance practices is a priority. The County Coordinator will be contacted.

- Town/Village Public Works Position

The Supervisor met with Steve Crowley, Mark Alianello, Mayor Burrell and Village Board member, Greg Cappelli to discuss the Public Works Position. The Village is interested in creating such a position but there are details to be worked out. Supervisor McAndrew and Engineer Alianello will be working on defining the job description.

- Supervisor's Association Meeting

Supervisor McAndrew reported that the Department of Economic Development, Planning and Tourism announced that the Cattaraugus County Land Bank Corporation will be applying for funding through the Land Bank Community Revitalization Initiative. Through this request for application, the Land Bank will

look for funding to support community revitalization efforts by confronting the problems caused by blighted, vacant, abandoned and/or tax-delinquent properties. They are requesting input from the Town. The Board supported the County's effort and identified several properties that fit the criteria in Ellicottville. Supervisor McAndrew will forward the list as requested.

### **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. Fitzpatrick 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**

- Alarm Tracking

OIC Auge will continue to look into Alarm tracking.

- Sale of Tahoe

The Tahoe was sold at auction for \$5,800.00

- Honor Society Request for Sponsorship

The Ellicottville Police Department has been asked to sponsor the National Technical Honor Society at the Ellicottville Career & Technical Center - BOCES for \$100.00. Auge asked if that was something that the Town would be willing to do. He was told that the Town is not allowed to make such donations.

- Locker/Evidence Rooms

The configuration of the Locker and Evidence rooms and the heating and ventilation requirements were discussed

#### **Tom Scharf- Highway Department**

- Highway Department Fuel Depot - Completed
- Robbins Road speed Limit Reduction Request

NYS DOT established a 35 MPH speed limit for Robbins Road from Route 242 to its end as requested by the Town. The new speed limit signs have been picked up and will be installed soon.

### **Mark Alianello - Engineering Department**

- HVAC System - Engineering Proposals

A representative from Nussbaumer & Clarke and Mr. Alianello met at the Town Hall to evaluate the logistics of installing a new HVAC system. The venting and electrical may be obstacles and add to the cost of the project. Nussbaumer & Clarke should have specs prepared within a couple of months so the Town can put the project out for bid.

- Booster Station #1

Mr. Alianello received a quote of \$1,200.00 to complete the necessary survey work for the easement maps needed for the Booster Station No. 1 project.

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 accept the quote for the survey fee of \$1,200 from Daniel L. Barry Land Surveyor, LLC to perform the necessary easement maps and legal descriptions for the Booster Station No. 1 project.

- Highway Inventory Resolution

The following resolution was offered by Mr. Crowley and seconded by Mr. Hinman:

WHEREAS, New York State Department of Transportation maintains a Local Highway Inventory that is intended to list all local highways in New York State; and

WHEREAS, the Town Engineer has completed a detailed review of the highways owned and maintained by the Town of Ellicottville and has compared this to the current NYSDOT Local Highway inventory for the Town of Ellicottville known as Geocode 0265; and

WHEREAS, this comparison showed one road that is as of the date of this resolution owned and maintained by the Town of Ellicottville but is not listed on the current NYSDOT Local Highway Inventory for the Town of Ellicottville and

one road that is listed as shorter than the length actually maintained by the Town of Ellicottville; and

WHEREAS, the Town Engineer has prepared the attached NYSDOT Local Highway Inventory **New and Extended Road Template**; and

WHEREAS, it is important that this inventory be correct: now, therefore be it

RESOLVED, that the roads listed on the attached **Template** further listed below are owned and maintained by the Town of Ellicottville and shall be included in the 2016 NYSDOT Local Highway Listing for the Town of Ellicottville; and, be it further

RESOLVED, that New York State Department of Transportation is requested to include these roads as listed below in the Town of Ellicottville's 2016 Local Roads Listing.

- |                     |            |         |
|---------------------|------------|---------|
| 1. Canada Hill Road | 1.17 miles | 2 lanes |
| 2. Dickey Road      | 0.07       | 2 lanes |

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

	AYES	NAYS
Roll Call Vote: Supervisor McAndrew	1	
Councilman Hinman	1	
Councilman Fitzpatrick	1	
Councilman Crowley	1	
Councilman Jackson	1	

The foregoing resolution was thereupon declared duly adopted.

- Holiville Water Service Issues

Mr. Alianello and the Water Department uncovered several issues with Holiville's water service. One is the need for a properly sized reduced pressure zone backflow preventer. Another problem is that the existing meter pit for the Holiville location is unsafe and badly in need of upgrading. Mr. Alianello will be sending a letter to Holiville asking them to resolve the issues.

### **New Business**

- Nannen Arboretum Request

The Nannen Arboretum requested an increase in the Town's contribution to the upkeep and improvements of the Arboretum from \$1,000 to \$2,000. Supervisor

McAndrew notified them that the 2017 budget is complete and it is too late to alter it. The Town may be able to help the Arboretum through different budget lines if it becomes necessary..

- Approve 2017 Budget

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

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

Whereas, notice of the completion of the preliminary budget for the fiscal year 2017 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 2017 is adopted.

Supervisor McAndrew said that the tax rate will go from 1.21 to 1.26 but pointed out that Ellicottville's tax rate is still the lowest in the County. He also pointed out that the sales tax revenue was down in 2016 and is projected to be lower for 2017 as well. One factor that influenced the need to raise taxes was 2015 flood damage with expenses estimated at around \$1million.

- Farm to Market Rd.(CR 71) Sidewalk Request

A resident of McKinley Drive has asked the Town and Village to build a sidewalk to connect them to the Village. The Board agreed that there is a lot of development in that part of town and that the shoulder is narrow. Although it is too late to budget for the sidewalk in 2017, it will be considered for 2018.

- Comprehensive Plan Review Resolution

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

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

Whereas, the Town has budgeted for a Comprehensive Plan Review for the year 2017,

be it resolved that the Town Planning Board is authorized to go forward with such a review.

- Delinquent Water Bills

On **motion** by Mr. Fitzpatrick seconded by Mr. Hinman the following resolution was accepted:

Ayes 5– McAndrew, 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 2017 Town & County tax bills as presented in the amount of \$3,887.54.

- Energy Enterprises, Inc.

Energy Enterprises, Inc. asked the Town to adopt a local law to use their company to supply energy to all of the Town. Mr. Crowley said that he has done research on such agreements and believes that they can limit residents to a single energy provider.

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

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

Resolved that the Town not establish a Local Law to establish a Community Choice Aggregation (energy) Program as requested by Energy Enterprises, Inc.

- Cemetery Records

STW is in the process of applying for a grant to digitalize Cemetery Records and the Town could be included in this grant. The information would be recorded in a searchable format that could be useful. The Board agreed that the Town Clerk should pursue the project.

### **Old Business**

- Joint Water District

Hiring a Public Works Director to oversee a Joint Water District and the legal process of forming the district was discussed. Since the Village and the Town have assets that would be part of the district, an agreement on the value of and the equitable distribution of assets would be necessary. Supervisor McAndrew will look into finding a grant for shared services to fund the new district and/or Public Works position.

- EVGV Trail

Mr. Hinman reported that the Trail Head is almost done and thanked Terry Fuller and the BOCES students for all their work. He noted that the cost of materials alone would have been over \$2,000.00 and BOCES is only requesting a donation of \$400.00 for tools for their classroom.

### **Executive Session**

On Motion by Mr. Hinman and second by Mr. Jackson the Board went into executive session at 7:12pm to discuss contract negotiations. All Ayes. Carried.

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

### **Adjournment**

Motion by Mr. Fitzpatrick and second by Mr. Crowley to adjourn the meeting at 8:00pm. 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 16th day of November, 2016, approved by said Board on the 21st day of December, 2016.

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Robyn A. George, Town Clerk