

**MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE  
February 17, 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
	Robyn George	Town Clerk
	Mark Alianello	Town Engineer
	Kathleen Moriarty	Attorney for Town

**Absent:** Greg Fitzpatrick Councilman

**Also Present:** Jann Wiswall & John Thomas, Press, John Zerfas

**Call meeting to order:**

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

**Public Hearing**

Local Law No. 2 of 2016  
Zoning Law Amendment

The public hearing was opened at 6:01pm. Mr. Alianello explained that the proposed amendment to the Zoning Law addresses land use definitions and updating the zones in which those uses are permitted.

Mr. Zerfas, a member of the Town Planning Board, was present to ask the Town Board not to act on the current Zoning Law Amendment and to send it back to the Planning Board for further review. He said that he and other members of the Planning Board have decided that the Amended Zoning Law's provisions may be too restrictive.

MOTION by Mr. Crowley and second by Mr. Hinman to close the public hearing. All Ayes. Carried.

**Approve Minutes**

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

On motion by Mr. Hinman and second by Mr. Jackson the minutes of the January 20, 2016 and the January 27, 2016 Board Meetings were

Accepted Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

**Privilege of the Floor**

Mr. Zerfas told the Board that he and other Planning Board members were dissatisfied with the new Noise Law, citing that it is too restrictive. He added that the Planning Board did discuss the proposed law at its meetings but admitted that they did not send any formal recommendations to the Town Board. He suggested that there needs to be better communication between the Boards.

**Audit of Claims**

- Pay Town bills on Distribution Report #02-16

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

Accepted Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

**Resolved** that the Town bills be paid on General Ledger Distribution *Report 02-16* as follows:

001 - General Fund A:	\$ 30,832.13	
002 - General Fund B:	\$ 1,316.34	
		General Fund Total: \$32,148.47
004 - Highway DB	\$ 16,324.52	
		Highway Fund Total: \$16,324.52
		006 - Water Fund Total <u>\$ 35,698.71</u>
		<b>Grand Total: \$ 84,147.04</b>

**Supervisor's Reports**

- Supervisor's Report

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

Accepted Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

- ZBA Appointment

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

Accepted Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

Resolved that the Town Board appoint Gail Scheeler to the vacated position on the Town Zoning Board of Appeals.

- February County Wide Supervisor's Meeting

Supervisor McAndrew attended the County Wide Supervisor's Meeting. Some discussion at the meeting involved the possibility of the County taking over the assessing duties of the local governments. Crystal Abers, Director of Economic Development, Planning and Tourism, told those in attendance that there are many grants that local Town's may not be taking advantage of.

- Grant Writing Training

Supervisor McAndrew asked his Clerk, Tracy Stokes, if she would be interested in attending Grant's Writing training and she agreed to go. The training will be in April and the Board concurred that it was a good idea to send her.

- Rotary Meeting - Memorandum of Understanding

Supervisor McAndrew and Attorney Moriarty met with Greg Cappelli and Jack Luzier of the Rotary. The Rotary was given an updated copy of the Memorandum of Understanding for their review. There has been no response to date.

- Nannen Arboretum Society Meeting

At a meeting with the Nannen Arboretum Society, Supervisor McAndrew was made aware that the society was not satisfied with the lawn maintenance that the Village performs at no cost. Since it would be very expensive to hire a contractor, Supervisor McAndrew will discuss the matter with the Village Mayor in hopes that it can be worked out.

- ZBA and Planning Board Communication Request

In an effort to improve communication between the Town Board, Planning Board and Zoning Board of Appeals, the Supervisor's Clerk and Town Clerk will email all minutes, agendas and pertinent information to each member of each board.

### **Present Written Department Reports for Approval**

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

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

Accepted      Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

### **Department Heads**

#### **Don Auge – Police Department**

- Security Cameras

OIC Auge reported that the current building security system is outdated and "on its last legs". He received a quote that it would cost \$853.00 for new equipment and \$195.00 for installation. The new system would have more storage and additional cameras could be added as needed. Since the 6 cameras in use provide security for the Town Hall and parking lot, Auge is requesting that the cost of the new system come out of general fund building contractual.

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

Accepted      Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
Nays 0

Resolved that the Board approve OIC Auge's request to purchase and install a new security system and pay for it out of the general fund's building contractual appropriation.

- Upcoming Training

Auge will be sending officers to train in the proper use of spike strips. There is also an upcoming taser recertification course and a defensive tactics class in the works.

#### **Mark Alianello - Highway and Engineering Departments**

- Highway Superintendant Job Description

Mallory Short from the County Civil Service Department said the revised Town Highway Superintendent (Appointed) job description will go with their next rules resolution to the State Civil Service Commission. She added "As it is a public officer, with an established term of office, I don't see any issue with the Non-Competitive classification with confidential/policy influencing designation." The position is now officially created with Civil Service and the Town can move forward with filling the position.

- Town Line Road Speed limit signs

A resident of Upper Road has requested that speed limit signs be placed on his road. Mr. Alianello pointed out that none of the roads in that area are posted and the speed limit of all roads that aren't posted is 55mph, much too fast for that area. He is asking the Board for a resolution to petition the NYS DOT to lower the speed limit on 5 of those roads.

On motion by Mr. Hinman and second by Mr. Jackson the following resolutions were

Accepted      Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
                     Nays 0

Resolved that the Town Board of the Town of Ellicottville, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Buchan Ridge Road, a Town Highway between Holiday Valley Road and Dead End.

Further resolved that the Town Board of the Town of Ellicottville, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Deer Crossing Road, a Town Highway between Holiday Valley Road and Dead End.

Further resolved that the Town Board of the Town of Ellicottville, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Holiday Valley Road, a Town Highway between US Route 219 and Dead End.

Further resolved that the Town Board of the Town of Ellicottville, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Upper Road, a Town Highway between Holiday Valley Road and Dead End. Further resolved that the Town Board of the Town of Ellicottville, hereby request the Department of Transportation, pursuant to Section 1622.1 of the Vehicle and

Traffic Law, to establish a lower maximum speed at which vehicles may proceed on Valley Village Road, a Town Highway between Holiday Valley Road and Dead End.

Upon receipt of the notices that herein requested has been established, the Town of Ellicottville, will provide, install and maintain signs in accordance with the Vehicle and Traffic Law and conforming to the Manual of Uniform Traffic Control Devices of the Department of Transportation.

- Shared Services for Emergency Assistance

NYS DOT is asking the Town to sign a Shared Services Agreement that allow them to provided emergency assistance to municipalities in the absence of a Governor's Emergency Declaration. Mr. Alianello is going to contact a member of the State's Operations team to get a better understanding of the agreement and will report back to the Board.

- Summer Intern

Mr. Alianello proposed that the Town consider participating in the Cornell Asset Management Program (CAMP). It is a program in which the Town would hire a college engineering student, mentored by a municipal employee, to collect pavement inventory and condition data, and create a five-year maintenance plan for the Town using CAMP Roads and Streets software. Mr. Alianello sees this as a great opportunity and has analyzed the budget and concluded that there are enough funds to implement the program. Since acceptance into the program is on a first come, first serve basis the Board agreed that Mr. Alianello send a request to Cornell Local Roads to participate in the program right away.

- Auditorium Lighting

Mr. Alianello got informal quotes on the expense of adding dimmers to the lighting in the Auditorium. There seems to be different approaches to achieving the goal and they vary drastically in expense. Mr. Alianello suggested that he write up specifications for the project and put it out to bid.

- Booster Station

Because the Weinman pump is more efficient and there would be no re-plumbing involved in installation, Mr. Alianello is recommending that the Town replace the damaged Weinman pump with a new Weinman pump.

### **New Business**

- Town Planner Appointment

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

Accepted      Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
                    Nays 0

Resolved that the Town accept the Consulting Services Agreement with AECOM for the Town Planner position and authorize the Supervisor to sign it.

- Water Contract with Village

Supervisor McAndrew met with Mayor Coolidge who asked that the Town extend the intermunicipal water agreement with the Town until the end of the Town's fiscal year at the rate budgeted in the Town's budget.

Discussion followed on issues that the Town has had with the Village fulfilling their end of the agreement. Board members agreed not to end the agreement as long as the Village start addressing the issues.

- Local Law #2

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

Accepted      Ayes 4 - McAndrew, Hinman, Crowley & Jackson  
                    Nays 0

Resolved that Local Law No. 2 - Zoning Law Amendment be referred back to the Town Planning Board for their review.

- EPOA Committee

Supervisor McAndrew appointed Steve Crowley and Rick Jackson as Town representatives to negotiate a new contract with the Ellicottville Police Officers Association.

### **Old Business**

- David Golley Highway Garage Dedication

Supervisor McAndrew met with Barb Golley regarding the dedication of the Highway Garage in honor of her late husband. He showed her the sign that was made designating "David Golley Drive" and she was pleased with it. Plans will be made when the weather improves.

- Procurement Policy Review

### **Correspondence**

- Ally Katz Thank you
- Thank you to Officer Philipps

### **Executive Session**

On Motion by Mr. Crowley and second by Mr. Hinman the Board went into executive session at 8:15pm to discuss EPOA Contract Negotiations. All Ayes. Carried.

On Motion by Mr. Crowley and second by Mr. Hinman the Board resumed regular session at 9:00pm.

### **Adjournment**

Motion by Mr. Crowley and second by Mr. Hinman to adjourn the meeting at 9:00pm. 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 17th day of February, 2016, approved by said Board on the 16th day of March, 2016.

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Robyn A. George, Town Clerk