

**Regular Meeting
of the Village Board
July 10, 2017**

Attended:	John Burrell	Mayor
	Spencer Murray	Trustee
	Patra Lowes	Trustee
	Greg Cappelli	Trustee
	Joey DiPasquale	Trustee
	Harold Morton	DPW Superintendent
	Nick Dobmeier	Engineer
	Kathleen Moriarty	Attorney
	Mary Klahn	Clerk

Also attended: Jack Rogan, Kelly Fredrickson, Jennie Acklin, John Thomas, Steve Frank and Harry Weisman.

Call meeting to order – Mayor Burrell called the meeting to order at 6:00pm.

Pledge to the Flag

Motion: to move the business from the floor by Mr. Cappelli

Second: by Ms. Lowes All ayes. Carried

30 Day Rentals – Steve Frank spoke about the permits that are presently in order for a fee of \$200.00. He is asking the board to do away with the law or figuring out a new process. Law has been in place since 1991. Currently, the Village law not only prohibits short-term rentals, but also requires owners who rent their homes for more than 30 days to obtain an annual permit. They also must have an annual inspection by the Village Code Enforcement Officer to check smoke detectors, safety issues and set occupancy maximums. Few Village property owners are aware of the law, however, and rent for a day or weekend or week, and often rent to far larger groups than should safely occupy a home. No new permits have been issued since 2005, and they don't transfer with the property.

Motion: by Joey Dipasquale to waive the \$200.00 for the 7 people for the under 30 day rentals to continue with the letters and inspection and moving forward until we revise the less than 30 day rentals.

Second: by Mayor Burrell All ayes. Carried

Send a letter to the 7 people that states what we are doing.

Justice Court Audit: Village Judge Jack Rogan addressed the board about whether or not an outside accounting firm audit was required, versus having the audit completed internally. The state auditor informed Rogan that, “It is not necessary to have an outside audit. The required annual audit may be done by us.” In 2016, Rogan asked board member Patra Lowes to complete the audit, and it was presented to the board in July/August 2016. Mayor Burrell refused the paperwork, stating that he wanted an outside audit, according to Ms. Lowes. The minutes from July 11, 2016 reported that the court audit report was tabled.

Rogan continued to raise the question of why an outside audit was required. “Why do we need to spend the taxpayers’ money?” He asked. The Village Court has not received letters that the audit report is delinquent, and Rogan wanted to know why this hasn’t been addressed.

We discussed the fact that Bob Broginski had always done it. Nobody on the town board had done the audits for the Town. September 12th meeting it was brought up again and Mayor Burrell stated that RA Mercer had declined. Greg made a motion to get more quotes and not to exceed \$1500.00. As a tax payer it is senseless to pay \$1500. Jack Rogan stated that he was responsible for the audit. Ms. Lowes stated that the Mayor seemed upset that she did it and that the Judge had her do it. She felt disrespected by the Mayor. Mayor Burrell said he was upset that he knew nothing about the audit until it was over. He then talked to R. A. Mercer and the Towns auditors. Spencer stated that if it has to be done someone on the board should do it. Mr. Cappelli read the minutes and had the impression that we had to go outside and that is why he made the motion last year.

Spencer Murray volunteered to work with Village Court Clerk, Mary Schuster to produce monthly audits, and complete the 2016 annual audit report. The board thanked Mr. Murray for his willingness to take on the audit project. Ms Lowes stated that she will look for her copy of the 2016 audit.

Approve Minutes

6/12/2017 Regular Meeting Minutes

Mr. Cappelli would like to change the minutes and add his notes to the minutes of the meeting.

Motion: by Mr. Cappelli to accept the minutes with the changes.

Second: by Ms. Lowes All ayes. Carried

Financial Report and Audit of Claims

Training on Wednesday with Williamson Law with Jenn and Denise from Mercer's, for the accounting program.

Summer Personnel Services – Why is our DPW Supervisor watering the flowers asked Mr. Cappelli. Are we planning on hiring summer help?

Motion: to hire summer help by Mr. Cappelli

Second: by Mr. DiPasquale All ayes. Carried

Audit of Claims

Mayor Burrell stated that we had a problem with binder from Gernatt. Two extra loads were received but not what we ordered. We did use the product on Elizabeth Street. Mayor Burrell called Gernatt and told them he is disputing that part of the bill. \$2400 is the dispute. Mr. DiPasquale stated that if we used it we should pay for it. If we break the trust will we have a problem.

Motion: by Mr. DiPasquale to pay the total bill from Gernatt.

Second: by Ms. Lowes All ayes. Carried

Motion: by Mr. Murray to pay the bills

Second: by Mr. DiPasquale All ayes Carried

Mayor's Report

5/16/2017 Four Flushers Minutes

5/18/2017 Joint Fire Commission Minutes

7/11/2017 Four Flushers Meeting

6/21/2017 Extension of T/V Water Agreement

Mr. Cappelli asked about the CUPPS program? He has the tasks in and the majority of the work is complete. We need to think about an implication plan. Data from the tough book computer to a desktop, as of now it is not being done yet. This should be the number one priority stated Mr. Cappelli. Jim Campolong needs to come down and set it up.

Planning Report

23 Washington St.

11 Rockwell Avenue

8-10 Washington – Professional Office

16 Rockwell Avenue – Accessory Apartment

54 Mill St. – SUP for Home Occupation – Hair Salon
Tee Bar Projecting Sign
M& T Bank – 49 Washington St.
20 Fillmore – Single-Family House
26 West Washington – Accessory Apartment

Zoning Board of Appeals Activities

24 East Washington St. – Deck addition
M&T Bank

Motion: by Mr. Murray to accept the Planning Report
Second: by Ms. Lowes All ayes Carried

DPW Report

1. Black topped Mill Street, also Park Square and Fillmore.
2. Watered flowers.
3. Mow Main Street and park when needed.
4. Trimmed trees on East Washington.
5. Trimmed the trees on Elk and Mechanic.
6. Picked up brush around the Village.
7. Helped the Town with black topping on Holiday Valley road.
8. Helped repair the water leak at Holiday Valley.

Sewer Report

1. Cleaned the D.O. probes.
2. Weedeated around the fence and the H.V. reservoir.
3. Cleaned the intake screens on the blowers.
4. Mowed at the park.
5. Went w/Tom Dineen and/or Jesse Klahn to do the water inspections.
6. Submitted May's DMR electronically.
7. Changed the oil & filter in the pump station generator.
8. Weedeated around the pump station.
9. Changed the oil in Lagoon blower #2.
10. Ordered a PH probe & some other lab items.

Motion: by Mr. Cappelli to accept the Sewer Report
Second: by Mr. DiPasquale All ayes. Carried

Engineering – NickDobmeier

Wastewater Treatment Plant

1. Hydraulic Analysis on the Submerged Activated Growth Reactor (SAGR) system is complete. Nussbaumer submitted Memo regarding Submerged Activated Growth Reactor System – Hydraulic Loading Concern dated, June 29, 2017. The memo outlines the results of the Hydraulic Study.
2. CUPPS program asset database is complete and tasks are set-up. Implementation plan needed (who will manage the program, what computer should it be loaded on, etc.)

Stillhouse Brewery – Reviewed, Approved

CRC Engineering, PLLC submitted a completed permit application for a wastewater discharge permit with all attendant documentation on March 30, 2017. Review was completed on April 24, 2017. Nussbaumer requested additional information; CRC submitted additional information on May 8, 2017. Nussbaumer sent a letter of recommendation to the Village for the approval of the wastewater discharge permit application on May 24, 2017. Village Board approved the application for wastewater discharge permit on June 12, 2017. Approval Letter was sent to CRC Engineering and Mr. Bill Bursee via email on June 27, 2017.

Proposals

Nussbaumer & Clarke, Inc. – Sewer Use Law Update/Fee Rate Schedule, \$5,500.00, was submitted on June 7, 2017. Village Board tabled until new engineering position is filled.

Potential RFP'S

None

General Discussion

Randy Stroup of C.J. Wallace Engineering contacted Nussbaumer regarding Greystone Apartments proposed sewer extension. Nussbaumer provided Randy with the Village Sewer Tap Application and standard building fees. Proposed site is in the Town of Ellicottville (6346 Route 242, Ellicottville, NY 14731). Explained the process to Randy and asked for some background information pertaining to the proposed project.

Motion: by Spencer to accept

Second: by Greg All ayes. Carried

Nick is looking to coordinate with Nexum and STD construction to have the influent line flushed and cleaned. We should be able to get this done at no cost to the Village.

Nick - CJ Wallace proposed apartments to go in the Town. No subject to our building fees. The size will need the DEC approval. We oversee the hookups and Kelly Fredrickson will be in charge.

Motion: by Mr. Murray to accept the report

Second: by Ms Lowes All ayes. Carried

Code Enforcement

Corneilius	6/5/17	17-21	\$25	Monroe St.	Enclose Dumpster
Heineman	6/16/17	17-22	\$250	69 W. Wash.	Remodel Interior
Nelson	6/20/17	17-23	\$100	8-10 Wash.	Renovation
Clauss	6/21/17	17-24	\$50	70 Eliz St.	Interior Renovation
Reading	6/23/17	17-25	\$35	8 Wash. St.	Interior Renovation
Vogt	6/28/17	17-26	\$50	23 Wash. St.	Demolition

Motion: to accept the report by Mr. DiPasquale

Second: by Mr. Cappelli All ayes. Carried

John Burrell and Kelly Fredrickson met with Williamson Law about the Code Enforcement program and thought it was expensive. Kelly is checking out a system thru EAS at Randolph and is setting up a presentation for us.

Parks – Patra Lowes

Catt Co Baseball, we have an opportunity to get \$50,000 in grant money.

Beautification

Sidewalks

Patra talked with the Alley Katz and the worst area is in the front of Villagio on Monroe St. The cement will clean it up stated Mr. Murray. Ms. Lowes stated that she met with the Alley Katz and they came up with a plan on Monroe Street from Washington Street down to Huey Alley. Biggest issue is the sidewalk plow is too wide. Pouring another strip to widen the sidewalk near the curb and possibly a couple rows of pavers and grass in a small patch with some kind of greenery. Ms. Lowes will draw up a plan with the Alley Katz. Mayor Burrell Stated that we may be able to get \$5,000 from the County and we would have to match. What is the current plan for the grass patches asked Mr. Murray? Ms. Lowes stated that it is not all about the business district. It's a tax payers issue stated Ms. Lowes. Mr. DiPasquale stated that we should vote on getting rid of the grass on Washington and Monroe Street. Mr. Murray stated that he would like to see the cement get done in the front of Villagio. It's a mess and he does not want to wait a year to come to a conclusion.

Mr. Cappelli would like to have a special meeting when Ms. Lowes gets the proposal and make a decision.

Special meeting in 2 weeks to discuss from Washington Street to Huey Alley as soon as feasible.

Special events

None

Refuse

None

Parking

Met with Norm Lye during our grant meeting, he owns between Martha Street and Rockwell Avenue is a space that would fit 250 cars. We discussed ideas to get rent out of that property. We could possibly make a parking district like a water district.

Saturday July 29th a motorcycle run will be coming into the Village. They will be stopping in Ellicottville can we get them some parking? Possibly the Village Park.

Old Business

Bench Update – 22 have not been done yet. Total of 54 benches and we are missing 2. 20 more to do and Mr. Morton will call on Thursday. Hurry them as much as possible.

Grandstand Bleacher Materials have been ordered.

Catt. Co. Baseball Project Update possibly \$50,000 Grant Resolution to Authorize Partition (in above).

Motion: to approve the Catt. Co. Baseball resolution pending Kathleen's review by Mr. Cappelli

Second: by Mr. DiPasquale All ayes. Carried

New Business

T/V Engineer Job Description

Motion: to approve the job description by Mr. Cappelli

Second: by Mr. DiPasquale All ayes. Carried

Motion: for the bikers to use the parking at the Village Park on July 29th by Mr. Cappelli.

Second: by Mayor Burrell All ayes. Carried

Resolution t/v engineering office resolution

Motion: to allow town to advertise for t/v engineering position by Mr. Cappelli

Second: by Mr. Murray All ayes. Carried

Motion: to set up an office with the Town for this position by Mr. Cappelli

Second: by Mr. Murray All ayes. Carried

EVL Lodge Request – break on late fee? New York State does not allow it.

Harold Morton is requesting a zoomed in camera. Harold will get the contact information.

The sweeper caught on fire in the DPW building this month and Mr. Morton is asking for heat detectors. Kelly Fredrickson said they could put one in the stairway and upstairs. Kelly Fredrickson and Harold Morton will work together to come up with a safety plan.

New truck is going into production the week of July 17th. Early August we should have.

Cross walk by Finnerty's is a safety issue. The street is a Village owned street. Sign and lines are needed stated Mr. Murray. Mayor Burrell and Mr. Murray will check into the situation.

Public Hearing – Code of Ethics

Resolution: to adopt the Code of Ethics as it was presented at the Public hearing in July by Mr. Cappelli

Second: by Mr. Murray Mr. Dipasquale – Yes, Mr. Cappelli – Yes, Mr. Murray – Yes, Ms. Lowes – Yes, Mayor Burrell – No.

Correspondence

State of New York Dept. of Public Service
Village Justice Rogan
Gail Scheiler
Matt McAndrew
Joe Pillittere
Charlie Davis
Greg Pearl

Motion: by Mr. Murray to adjourn at 8:15pm

Second: by Ms. Lowes All ayes. Carried