

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE MARCH 21, 2018 at 6:00 pm
ELLICOTTVILLE TOWN HALL

<u>Present:</u>	Mathew McAndrew	Supervisor
	Ken Hinman	Councilman
	Greg Fitzpatrick	Councilman
	Steve Crowley	Councilman
	John Zervas	Councilman
	Robyn George	Town Clerk
	Kathleen Moriarty	Attorney for the Town
	Don Auge	Officer in Charge
	Mark Alianello	Town Engineer
	Gary Palumbo	Town Planner

Also Present: John Thomas, Carrie Steele, Kathy Kellogg, Press, Niles Pierson, Kelly Fredrickson, CEO, Malanda Cambra, Danielle McMullen

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 - February 21 , 2018

On motion by Mr. Crowley and second by Mr. Zervas the minutes of the February 21, 2018 Board meetings were

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

Privilege of the Floor

- Armstrong Presentation

Malanda Cambra, Project Coordinator for Armstrong, explained that her company was awarded the contract under the New NY Broadband Project to provide internet access to portions of WNY previously underserved by other providers. She presented a map of the areas to be covered in Phase 1 and said that Armstrong would provide the modem, wiring, equipment and line to the house at no charge to the customer. Construction is ongoing and all services will be live in 2019.

- Gary Palumbo - Zoning Amendment

Town Planner, Gary Palumbo, presented a draft of the Proposed Amendments to the Zoning Law regarding electronic message boards. The draft incorporated the Town Board's comments with the Planning Board recommendations. Key changes are that the digital display shall remain static for a period of no less than five seconds. Also, the Planning Board will have some discretion depending on the location of the sign.

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

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

Resolved that the Proposed Zoning Amendment Proposal be referred to the Town Planning Board.

- Stillhouse Brewery

The Stillhouse Brewery would like to open for business at the beginning of April but has been unable to comply with the Planning Board's requirements for paving their parking lot because of the weather. Mr. Palumbo is suggesting that the Town issue a temporary CO along with performance bond or security post in the amount that would cover the cost of the paving.

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

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

Resolved that the Town approve the concept and recommend that the Planning Board allow a temporary CO with a security post approved by the Town Engineer and Attorney.

- Energy Next, Inc. - Natural Gas Proposal and Community Choice

Danielle McMullen explained how Energy Next Natural Gas Proposal could save the Town money. She will be providing 12 and 24 month quotes.

- Community Choice Aggregation

Ms. McMullen is proposing that the Town enter into a contract with CCA to supply all of the Town's electric customers with electricity. She explained that they have the ability to purchase energy in bulk so they may be able to save customers money. CCA would supply the energy while National Grid would still

handle delivery and billing. Customers would have a 30 day opt out choice. The steps involved would be:

1. Choose MEGA's Community Choice Aggregation
2. Education and Outreach Program
3. Local Law
4. Competitive Bid
5. Select Low Bid
6. Opt Out Letters

She will be sending the Supervisor and Implementation Plan for review.

Audit of Claims

- Pay Town bills on Distribution Report #03-18

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

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

Resolved that the Town bills be paid on General Ledger Distribution Report 03-18 as follows:

001 - General Fund A:	\$35,834.42		
002 - General Fund B:	\$25,947.61		
		General Fund Total:	\$61,782.03
004 - Highway DB	\$22,141.36		
		Highway Fund Total:	\$ 22,141.36
		006 - Water Fund Total	<u>\$ 51,372.00</u>
		Grand Total:	\$135,295.39

Supervisor's Reports

- Supervisor's Report

On motion by Mr. Crowley and second by Mr. Zervas the Supervisor's February 2018 Financial Report was

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

- Thank You ECS

Supervisor McAndrew took the opportunity to extend the Town's appreciation to Bob Miller, Erich Ploetz and the students of Ellicottville Central School for implementing and stuffing the envelopes with the surveys that were mailed out for the Grant's Writer.

- Mark Alianello Resignation

Mark Alianello submitted his letter of resignation effective March 30th. The Board thanked him for his many years of hard work and dedication.

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

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

Resolved that the Town accept the resignation of the Town Engineer, Mark Alianello effective March 31, 2018.

- Introduction of Niles Pierson

Supervisor McAndrew introduced Niles Pierson who will officially begin working as Town/Village Engineer on March 26th.

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

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

Resolved that the Town hire Niles Pierson as Joint Town and Village Engineer under the terms of the contract signed October 19, 2017.

- AUD

The Board will review the AUD for next month's meeting.

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. Crowley the Clerk's Report, Justice Report, Building Inspectors Report, Planners and the Police Report were:

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

Department Heads.

Mark Alianello - Engineering Department

- Valley Village Update

Freeman and Freeman has pinned the R.O.W. on Valley Village Road. 90% of the road is in the R.O.W. The snow this winter accentuated the problems with the road. Mr. Alianello said the Town needs to continue to pursue the project.

- Dave Golley Dr. Culvert

The Town has piggybacked with the County on a bid for a 5 x 18 box culvert for Dave Golley Drive.

- 2 Grant Proposal - Culvert, NY

Supervisor McAndrew and Mr. Alianello submitted 2 grant proposal to Culvert, NY, one for Poverty Hill Road and one for Jedd Lane on Sommerville Valley.

- RFP for GIS

Mr. Pierson presented a Proposed Services Contract submitted by MDA Consulting Engineers, PLLC in the amount of \$14,500.00. The project is part of the asset management system and will survey and locate town water assets. He emphasized that the Town needs to move forward before the trees leaf out.

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

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

Resolved that the Supervisor is authorized to sign an agreement with MDA Consulting Engineers to provide engineering services for GPS/Survey Location Inventory mapping of 2105 assets in the amount of \$14,500 as presented.

Don Auge - Police Department

- Mardi Gras Weekend

There were a few fights over the weekend but not a lot of other issues.

- Resignation

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

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

Resolved that the Town accept the resignation of David Tobia as part-time Town Police Officer.

- New Hire

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

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

Resolved that the Town ratify the appointment of Jesse Barber as a part-time Town Police Officer at the rate of \$18.37 per hour.

Tom Scharf - Highway Department

- Town Barn Electric

Gerwitz and McNeil surveyed the electric system at the Town Barn and will be submitting a written report.

- Propane Tank

The Town does not own the propane tank. Currently the Town buys propane on State Bid which fluctuates. Mr. Scharf will look into getting a quote for a fixed rate.

- Casimer Kent

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

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

Whereas, Casimer Kent successfully obtained a CDL license,

Be it resolved that he be hired on a full time basis as a Commercial Driver Class B at the rate outlined in the Union Contract, Step1.

- Road Signs

The Highway Department is in the process of updating Road Signs as required by the State.

- Intersection Paving

Bids are being prepared to pave the intersections at Irish Hill and Rte. 219, N. Irish Hill and Rte. 219, Jackman Hill and Rte. 219 and Rte. 242 and Irish Hill.

Mr. Alianello has been asked to write a letter to NYS DOT regarding the disrepair of Route 219 from the Village to Holiday Valley.

New Business

- Cemetery Mowing Bids

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

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

Resolved that the Town Clerk advertise for the following:

Proposals for the Maintenance of the Jefferson Street, Niles (Rt. 242 W) and Bryant Hill Cemeteries.

Requirements:

- First Clean up, mowing and trimming to be complete by May 7, 2018.
- Clean up, mowing and trimming three times per month in May, June and July.
- Clean up, mowing and trimming two times a month for the remainder of the season
- Must provide Certificate of Insurance for liability.

- Relay for Life Request

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

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

Resolved that the Town grant permission to the Relay For Life of the Fairgrounds Committee to hold a Fill the Boot fundraiser at the Rte. 219/242 intersection in the Town on Saturday, May 5th from 8a

m - 1pm.

OIC Auge will contact them.

- Retirement Resolution

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

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

Resolved that the Town hereby establishes the Standard Work Day for Town Justice, Andrew Stokes at 6 hours and the Record of Activities at 3.12 days per month to be reported to the NYS and Local Retirement System.

Old Business

- Municipal Electric & Gas Alliance (MEGA)

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

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

Resolved the Supervisor is authorized to sign the 2 year contract with MEGA as presented at the February meeting.

- EVGV Trail

The tree clearing should be done by the end of the month.

Adjournment

Motion by Mr. Hinman and second by Mr. Crowley to adjourn the meeting at 8:20pm. 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 March, 2018, approved by said Board on the 18th day of April, 2018.

Robyn A. George, Town Clerk