

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE JUNE 20, 2018 at 6:00 pm
ELLICOTTVILLE TOWN HALL

<u>Present:</u>	Mathew McAndrew	Supervisor
	Ken Hinman	Councilman (Arrived at 6:15)
	Greg Fitzpatrick	Councilman
	Steve Crowley	Councilman
	John Zervas	Councilman
	Robyn George	Town Clerk
	Niles Pierson	Town Engineer
	Don Auge	Officer-in-Charge
	Kathleen Moriarty	Attorney for the Town

Also Present: Caitlyn Croft, Press

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 - May 16, 2018

On motion by Mr. Crowley and second by Mr. Zervas the minutes of the May 16, 2018 Board meetings were

Accepted Ayes 4 - McAndrew, Crowley, Zervas & Fitzpatrick
 Nays 0

Audit of Claims

- Pay Town bills on Distribution Report #06-18

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

Accepted Ayes 4 - McAndrew, Crowley, Zervas & Fitzpatrick
 Nays 0

Resolved that the Town bills be paid on General Ledger Distribution Report 06-18 as follows:

001 - General Fund A:	\$45,437.57
002 - General Fund B:	\$ 4,740.78

	General Fund Total:	\$ 50,178.35
004 - Highway DB	\$112,092.21	
	Highway Fund Total:	\$112,092.21
	006 - Water Fund Total	<u>\$ 40,604.37</u>
	Grand Total:	\$202,874.93

Supervisor's Reports

- Supervisor's Report

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

Accepted Ayes 4 - McAndrew, Crowley, Zerfas & Fitzpatrick
 Nays 0

- DRI Grant Update

The Grant application was sent to Empire State Development on June 1st. Supervisor McAndrew, Councilman Fitzpatrick, Mayor Burrell, Planner Palumbo and Grant's writer, Diana Cihak traveled to Buffalo and gave a presentation as part of the grant process. A priority list was compiled and sent.

- Water Contracts

Both of the Intermunicipal Water Contracts with the Village have expired. The Board asked Mr. Pierson to review them and make recommendations. A meeting with the Mayor, Supervisor, Mr. Alianello, Mr. Crowley and Mr. Pierson will be set up to discuss the extension of the contracts and possible revisions to them.

Present Written Department Reports for Approval

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

On motion by Mr. Crowley 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, Zerfas & Fitzpatrick
 Nays 0

Department Heads.

Don Auge - Police Department

OIC Auge reported that the new hire, Jesse Barber, is working out well.

Niles Pierson - Engineering Department

- Monthly Report
 - Summer intern

Callahan Hughes, a recent Engineering graduate, has been hired for the summer. He has been placed in charge of tracking energy costs for the Town and will be updating the CAMP Roads and Streets software.

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

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

Resolved that the Town ratify the June 18th appointment of Callaghan Hughes as the summer intern for the engineering department at a rate of \$15.00 per hour.

- NYSERDA Grant

The \$50,000.00 grant has to be used for a project that has a less than 20 year payback in energy savings. Since the replacing of the windows in the Town Hall does not qualify, Mr. Pierson suggested updating the lighting in the Town Hall.

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

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

Resolved that Engineer Pierson is directed to sign the \$50,000 energy efficiency/improvement grant contact with NYSERDA that will allow the Town to improve lighting at the Town Center and/or Town Hall.

- The new smart TV/projector monitor has been installed at the Town Hall.
- Gerwitz and McNeil will be re-configuring the electrical system at the Highway garage at a cost of \$2,702.00.

Tom Scharf - Highway Department - Absent

- F550 Quote for 2019

Mr. Scharf submitted a quote for a new F550 diesel extended cab truck off of a piggyback bid in the amount of \$114,400.54. Mr. Pierson explained that \$135,000 is budgeted for equipment replacement in the 2019 budget. In order to have the truck delivered in January, it has to be ordered now.

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 Highway Superintendent Scharf is authorized to order the 2019 Ford F-550 XL SuperCab at a total cost of \$114,400.54 to be paid for out of the 2019 budget.

New Business

- Tax Cap Override

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NO. 3 - 2018

WHEREAS, there has been duly presented and introduced at a meeting of the Town Board of the Town of Ellicottville held June 20, 2018 a proposed Local Law entitled

“A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT FOR FISCAL YEAR 2019”

WHEREAS, no Local Law shall be adopted until a Public Hearing thereon has been held by the Town Board of the Town of Ellicottville upon at least five (5) days notice, now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the said proposed Local Law by this Board on the 18th day of July, 2018 at 6:00 o'clock pm at the Town Hall, Town of Ellicottville, NY, and that at least five (5) days notice of such Hearing shall be given by the Town Clerk by the due posting thereof upon the

Bulletin Board of the Town and by publishing such notice at least once in the official newspaper of the Town.

It was emphasized that passing the Tax Cap Override does not mean that the Town expects to exceed the Cap.

- Park Program Wages

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

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

Resolved that the Recreation Attendants for the Summer Park Program be paid minimum wage of \$10.40/hour and the Recreation Leader be paid \$11.50/hour.

- Dietrich Water Bill

The Clerk is asking that the Board approve an adjustment (credit) of \$164.95 to account #0689 - 11 Hemlock. The WLB software system erroneously reset the meter reading to 0 in September, 2017. The next quarter it entered the meter usage where the reading should have been. If you add the usage of 5,719 gallons to the previous read (6-30-17) of 38,470 you get 44,189. Even if no water was used in the 3rd quarter of 2017, the usage for the first quarter of 2018 would be under the minimum. Therefore, the water bill needs to be adjusted to reflect the actual usage of less than 12,000 gallons.

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

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

Whereas, the WLB water billing software system erroneously reset a previous read to 0 causing a high usage reading when in fact, the actual usage was under the minimum of 12,000 gallons.

Therefore, be it resolved that the Clerk is directed to issue a new bill to the property owner of 11 Hemlock reflecting the minimum charge of \$40.00 for the actual usage.

Old Business

- EVGV Trail

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

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 \$2.1 million under the sponsorship of the Town of Ellicottville. The NYS Grant Request is for \$1,680,000 with the Town of Ellicottville Match of \$420,000.

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

Ayes – 3 - Fitzpatrick, Crowley & Zervas
Abstentions - 2 - McAndrew & Hinman
Nays – 0

Correspondence

- Designation of Public Official

Lori Rieman, District Attorney of Cattaraugus County, sent a "Designation of Public Official" which gives Kelly Fredrickson, acting as Town Code Enforcement Officer, the power and authority to prosecute violations of all zoning laws of the Town of Ellicottville.

- Enders

Deborah Enders was sent a letter informing her that the shrubs and construction cones she placed in the Town ROW are in violation of NYS Highway Law. She was given 48 hours to remove them.

- NYS Route 219

The Town and Village have sent a letter to the NYS DOT expressing their concern over the poor condition of Rte 219, particularly the section from the Village center south past Holiday Valley. They are requesting that the state address the problem as soon as possible.

Mr. Crowley added that he has contacted Senator Young and Assemblyman Giglio asking them to put pressure on the State to find the funds to fix the road. He emphasized that everyone who is concerned should be contacting their representatives.

Adjournment

Motion by Mr. Hinman and second by Mr. Zerfas to adjourn the meeting at 7:00pm. 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 20th day of June, 2018, approved by said Board on the 18th day of July, 2018.

Robyn A. George, Town Clerk