

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE OCTOBER 17, 2018 at 6:00 pm  
ELLICOTTVILLE TOWN HALL

|                        |                   |                        |
|------------------------|-------------------|------------------------|
| <b><u>Present:</u></b> | Mathew McAndrew   | Supervisor             |
|                        | Ken Hinman        | Councilman             |
|                        | Greg Fitzpatrick  | Councilman             |
|                        | Steve Crowley     | Councilman             |
|                        | John Zervas       | Councilman             |
|                        | Kathleen Moriarty | Attorney for Town      |
|                        | Robyn George      | Town Clerk             |
|                        | Gary Palumbo      | Town Planner           |
|                        | Tom Scharf        | Highway Superintendent |

**Also Present:** Caitlyn Croft, Press, Jeremy Knab, Tim Dineen, Clayton Silvernail, Cyndi Snyder, Alex Silvernail, Corbin Hesse, Kelly Hesse, Adam Silvernail, Jack Snyder, Patrick Dineen, Logan Knab (Boy Scouts)

**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 - September 19, 2018
- Budget Workshop Meeting - September 19, 2018
- Budget Workshop - September 27, 2018
- Budget Workshop and Special Meeting - October 3, 2018
- Budget Workshop - October 10, 2018

On motion by Mr. Crowley and second by Mr. Hinman the minutes of the September 19, September 27, October 3 and October 10, 2018 Board meetings were

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

**Privilege of the Floor**

- Gary Palumbo - Comprehensive Plan Update

Town Planner, Gary Palumbo, presented the Draft Amendments to the Town's Comprehensive Plan. The Planning Board, ZBA and Councilman Zervas have been reviewing and making updates to it for over a year. The next step is for the

Planning Board to make a formal recommendation to the Town Board. A referral will be sent to the County and a SEQR coordinated review submitted. The Town Board should be able to hold a Public Hearing on the Amended Plan in December.

**Audit of Claims**

- Pay Town bills on Distribution Report #10-18

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

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

**Resolved** that the Town bills be paid on General Ledger Distribution Report 10-18 as follows:

|                       |             |                        |                     |
|-----------------------|-------------|------------------------|---------------------|
| 001 - General Fund A: | \$72,769.63 |                        |                     |
| 002 - General Fund B: | \$ 6,912.08 |                        |                     |
|                       |             | General Fund Total:    | \$ 79,681.71        |
| 003 - Highway DA      | \$ 536.77   |                        |                     |
| 004 - Highway DB      | \$91,051.30 |                        |                     |
|                       |             | Highway Fund Total:    | \$ 91,588.07        |
|                       |             | 006 - Water Fund Total | <u>\$ 67,480.92</u> |
|                       |             | Grand Total:           | \$238,750.70        |

**Supervisor's Reports**

- Supervisor's Report

**On motion** by Mr. Zervas and second by Mr. Hinman the Supervisor's September 2018 Financial Report was

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

- Supervisor's Meeting

Town Budgets and Shared Services were topics of discussion at the meeting. The County is implementing a formula for quantifying the value of shared services.

- SAM Grant

Senator Young will be backing the Town in its effort to get a \$50,000 grant. The Supervisor sent out the application this week.

- Court Procedures and Town Financial Statements - 2017

The following resolution was offered by Mr. Fitzpatrick seconded by Mr. Hinman:

Ayes 5 - McAndrew, Hinman, Fitzpatrick, Zervas and Crowley

Nays 0

Resolved that the Town Board accept the Independent Accountants of Tronconi, Segarra & Associates Audit of the Town Court for the year 2017 as presented.

Further resolved that the Town Board accept Annual Financial Report Update Document and Supplemental Information for the year 2017 as provided by Tronconi, Segarra & Associates.

- Preliminary Budget Public Hearing

Motion by Mr. Hinman and seconded by Mr. Zervas to hold a Public Hearing on the 2019 Preliminary Budget on Wednesday, November 7, 2018 at 4pm in the Town Hall. All Ayes. Carried.

Motion by Mr. Crowley and seconded by Mr. Zervas to hold a Joint Meeting with the Village of Ellicottville on Wednesday, October 24, 2018 at 6:00pm at the Town Hall to discuss the Engineering Budget. All Ayes. Carried.

- DRI Grant

The DRI Grant that Ellicottville applied for was awarded to Lockport. The Town will re-apply for next year's grant.

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

Gary Palumbo said that the Planning Board is considering how to deal with a proposed off-premise sign in the Conservation District. The matter was tabled pending the adoption of the Amended Comprehensive Plan that would change the district to the AR District. He has also met with Verizon about micro-cell equipment that is placed on utility poles. While the Town's Zoning does not address this new technology, the micro-cells are regulated by the FCC.

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

On **motion** by Mr. Hinman and second by Mr. Zerfas 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**

- Fall Fest Weekend

OIC Auge said that it was the first year since he's been working for the Town that he received no complaints. He commended the efforts of his Department, the State Police and Sheriff's Department.

#### **Niles Pierson - Engineering Department - Absent**

- Monthly Report
  - GPS locating of water/sewer assets is complete. GIS map is being built by Wendel Engineering .
  - Engineering website is being built. It will contain all permitting forms, zoning laws, contact information and standard detail drawings.
  - New PRV's have been ordered to replace remaining PRV's ,
  - Water/energy report gives an indication of the amount of "non-revenue water" in the system.
  - Redesign of drainage layout on Upper Holiday Valley Road is on-going.
- Detail Drawings

CEO Kelly Fredrickson explained the detail drawings that the Engineering Department has developed. It includes specifications for sidewalks, roads, driveways and water/sewer lines. It will provide a guideline for new development. Attorney Moriarty will look into how the Town should adopt these drawings and if they will be enforceable before any action is taken.

- Callahan's Pay Increase Request

Mr. Pierson has requested that Callahan Hughes' pay be increased to \$20/hour through the end of the year. He has pointed out that it will be paid out of the grant money. The Village has already approved the increase.

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

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

Resolved that Callahan Hughes pay be increased from \$15 per hour to \$20 per hour effective October 18th through December 31, 2018,

- Tree Service Contract

Mr. Pierson has advertised for bids to allow the Town to partner with a tree service company every year for the purpose of trimming limbs out of the right of way on Town Roads. The bids will be opened on October 19.

- Internet - Highway Barn

Cable Internet Service should be available at the Highway Barn by the end of the year. The cost will be approximately \$5k to have a line brought from the pole to the building.

(Mr. Fitzpatrick left the meeting)

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

- Road listings

Mr. Scharf pointed out that McKinley Dr. is not listed on the Town's list of roads.

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

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 2018 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 2018 Local Roads Listing.

1. McKinley Road                      0.1 miles      2 lanes

The question of the adoption of the resolution was duly put to vote on roll call,

Ayes 4 -McAndrew, Hinman, Zerfas and Crowley  
Nays 0

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

Resolved, that the New York State Department of Transportation is requested to remove "Stony Lonesome Road" from the Town of Ellicottville highway inventory, and add that mileage into the "Town Line Road" mileage. Stony Lonesome Road is now considered to be part of Town Line Road.

The question of the adoption of the resolution was duly put to vote on roll call,

Ayes 4 -McAndrew, Hinman, Zerfas and Crowley  
Nays 0

(Mr. Fitzpatrick returned)

### **New Business**

- 2019 Health/Long Term Disability/Life

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

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

Be it resolved that the Town of Ellicottville approve the 2019 Health, Long Term Disability and Life/AD&D Insurance as presented by April Hartloff - The Financial Guys Insurance Agency.

- Sexual Harassment Training

Ms. Moriarty expressed concern that a Town employee may not be the best person to do the sexual harassment training because there may be liability issues. There may be training provided by the State. Since the Town has a year to complete the training, she will look into the Town's options.

- Wall/Door - Mayor's Office

The Mayor submitted a letter to "request from the Village Board that we put a wall up in the Village Clerk's office and a separate door to the hallway from the new Mayor's Office."

Supervisor McAndrew said that there are some space issues. The Historical Society and Police Department have requested more space. He suggested that the engineer do a space study and further discuss the matter at the Joint Town/Village meeting.

### **Old Business**

- EVGV Trail

Another property owner has signed the grading release for the Trail.

- NYSERDA Grant - received first installment of \$12,500.
- Cemetery Maintenance

Crandall Memorials has been contacted on numerous occasions to schedule work on the Jefferson Street and Bryant Hill cemeteries. The Supervisor is waiting for a response.

- CEO Position

The Board requested that a new IMA be provided at the next regular meeting

### **Correspondence**

- Ghost Walk

Ellen Frank of the Historical Society asked the Town Clerk to relay their thanks to the Town for allowing sign-ups and tours at the Town Hall. She said that the

venture was very successful and the group experienced some interesting phenomena.

**Adjournment**

Motion by Mr. Hinman and second by Mr. Zerfas to adjourn the meeting at 7:40pm. 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 October, 2018, approved by said Board on the 21st day of November, 2018.

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Robyn A. George, Town Clerk