

**Regular Meeting
of the Board of Trustees and Public Hearing
Held on March 14, 2016**

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| Attended: | Charles Coolidge | Mayor |
| | Bob Brogcinski | Trustee |
| | Greg Cappelli | Trustee |
| | Patra Lowes | Trustee |
| | Sherman Wilkens | Trustee |
| | Mike Smith | Engineer |
| | Harold Morton | DPW Supervisor |
| | Bob Simon | Attorney |

Also attended: John Thomas – Villager, Jann Wiswall – Ellicottville Times, John Burrell and Dan Mergenhausen.

Public Hearing on the Budget

Business from the Floor:

DPW Report

1. Plowed snow; sanded when needed.
2. Worked in shop built shelves in the back storage room.
3. Repaired roof on the salt barn.
4. Patched holes around the village.
5. Worked on water line on Fillmore replace service.
6. Started doing spring cleanup around the courthouse and village.
7. Started sweeping streets around the village.

Harold Morton stated that we had a pump at the waste water treatment plant go down and it was \$9,000 to repair.

Mrs. Linnick's water line on Fillmore Avenue was repaired this week. We re-tapped her water line and hooked it into the front of the house on the street.

Sewer Report

1. National Grid set the new transformers.
2. Filled Lagoon #1 after changing all the all the aerators.
3. Got Pump #2 back from being re-built and installed it. It works beautifully.
4. Started draining Lagoon #2 to fix one of the pipes and install the valve on the new overflow chamber.
5. Changed all the lites in the UV tank.

6. Inspected the new lateral for the Town Center.

Motion: by Mr. Wilkens to accept the DPW report and Sewer Report.

Second: by Ms. Lowes All ayes. Carried

Zoning Report

**RESOLUTION
TO
OPEN PUBLIC REVIEW PERIOD AND SCHEDULE A PUBLIC HEARING
FOR
ADOPTION OF LOCAL LAW NO. 1 OF 2016 AMENDING
THE ZONING LOCAL LAW OF 2009, AS PREVIOUSLY AMENDED
AND
AMENDING THE OFFICIAL ZONING MAP OF THE
VILLAGE OF ELLICOTTVILLE**

**THE FOLLOWING RESOLUTION WAS OFFERED BY
TRUSTEE MR. WILKENS, WHO MOVED
ITS ADOPTION, SECONDED BY TRUSTEE MR. BROGCINSKI
TO WIT:**

WHEREAS, it is appropriate for the Zoning Law to be reviewed from time to time to adjust the zoning requirements to respond to changes in procedures and land use practices, changes in technologies and changes in land use factors while remaining consistent with the adopted Comprehensive Plan for the Village of Ellicottville; and

WHEREAS, The Village of Ellicottville has determined that it is now in the best interest of the Village of Ellicottville to update and amend the Zoning Local Law last amended and adopted by the Village Board of Trustees on August 10, 2009 as amended by Local Law No. 1 of the Year 2011 and Local Law No. 2 of the year 2012.

WHEREAS, The Village of Ellicottville Board of Trustees, is the municipal body responsible for amendments to and adoption of the update of the Zoning Local Law pursuant to provisions of the Village of Ellicottville Zoning Local Law of 2009 as amended and N.Y. State Village Law; and

WHEREAS, the Village Board has entrusted the Village Planning Board to update the Village Zoning Local Law and Zoning Map of 2009 as previously amended and, to that goal, the Planning Board conducted a thorough review of the Zoning Law and concluded the update that produced numerous revisions to the Zoning Local Law of 2009 as previously amended; and

WHEREAS, the Village Board of Trustees received the draft of the recommended revisions and update to the Zoning Law from the Planning Board; and

WHEREAS, the Village of Ellicottville Board of Trustees and Office of the Mayor have provided further review of the recommended revisions and update to the Zoning Local Law of 2009 as previously amended and completed that review; and

WHEREAS, the Planning Board has recommended the revisions and update of the Zoning Law of 2009 as previously amended to the Village Board of Trustees; and

WHEREAS, each member of the Village Board and the Village Clerk has received a copy of the final draft of the Amendments to the Zoning Local Law of 2009 as previously amended; and

WHEREAS, the Village Board of Trustees, by official Resolutions, moved to initiate consideration of adoption of a proposed “Local Law No. 1 of the Year 2016”, entitled “A Local Law Amending Local Law No. 3 of 2009 – Zoning Local Law as previously amended by Local Law No. 1 of the Year 2011 and Local Law No. 2 of the Year 2012” and to initiate the SEQRA and agency review process; and

WHEREAS, consistent with the SEQRA Lead Agency review process, all the involved agencies required to be notified under SEQRA have been notified and responses have been received from most of agencies notified and no agency has contested the determination of the Village Board of Trustees of the Village of Ellicottville to act as Lead Agency; and

WHEREAS, consistent with the provisions of SEQRA, the Village Board of Trustees of the Village of Ellicottville can now be established as the Lead Agency for this action; and

WHEREAS, in conformity with Village of Ellicottville of Zoning Local Law (Section 21 Amendments), NY State Village Law, the Village of Ellicottville shall provide opportunities for public review and input into the update process and amendment of the Zoning Law by scheduling a public hearing once the Village Board has been established as the designated Lead Agency under SEQRA; and

WHEREAS, the Village Board of Trustees intends to proceed with consideration of adoption of the amendment of the Zoning Local Law of 2009 as previously amended; and

NOW, THEREFORE IT IS HEREBY ORDERED AS FOLLOWS:

A public hearing before the Village Board of Trustees of the Village of Ellicottville, in the County of Cattaraugus shall be held at the Ellicottville Town/Village Hall, 1 West Washington Street, Ellicottville, New York at 6:00 P.M. on the 11th day of April, 2016, for the purpose of hearing all persons interested in the proposed Local Law No. 1 of the Year 2016; and

BE, IT FURTHER ORDERED, that the Village Clerk is directed to (a) publish a notice of public hearing in a newspaper of general circulation in the Village, such publication to be not less than ten days before the date of the public hearing; and (b) serve written notice of public hearing as required by Section &-706.2 of the Village Law and Section 21.4 B of the Zoning Local Law of 2009, and notify County Planning as required under §239-m of the General Municipal Law; and

BE, IT FURTHER ORDERED, that the Village Clerk is to make copies of the Proposed “Local Law No. 1 of the Year 2016, entitled “A Local Law Amending Local Law No. 3 of 2009 – Zoning Local Law as previously amended by Local Law No. 1 of the Year 2011 and Local Law No. 2 of the year 2012” available at her office for inspection by any interested person during business hours.

This Resolution shall take effect immediately.

The above resolution was duly put to a roll call vote at a regular meeting of the Village Board of Trustees held on March 14, 2016, the results of which were as follows:

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|----------------|--------------------------|--------------|------------|
| Mayor | Charles Coolidge | Voted | Yes |
| Trustee | Robert Brogcinski | Voted | Yes |
| Trustee | Patra Lowes | Voted | Yes |
| Trustee | Sherman Wilkens | Voted | Yes |
| Trustee | Greg Cappelli | Voted | Yes |

Motion: by Mr. Wilkens to accept the Zoning Report.
Second: by Mr. Brogcinski All ayes. Carried

Building Inspector’s Report

None

Engineers Report

WWTP Construction Update – Mike Smith reported that 85 percent of the wastewater treatment plant’s total budget has been expended to date as the project nears its target completion by May 31. Contractor STC is 90 percent complete with its portion of the project, while the electrical contractor still has about half of its work to complete. Mike

is recommending that the board consider adding three items to the scope of the project; a lightning protection system and a stand-by power connection box, both of which were removed during the budgeting phase to cut costs, and a trailer-mounted generator.

As reported in December, the Village was awarded a \$1.3 million grant from the NY Environmental Facilities Corporation (EFC) to help offset the \$5.3 million cost of the new plant. In EFC's own budgeting process, \$250,000 in contingency funds were included in the grant award to allow the village to make any necessary change orders that would improve the operation of the plant. If the contingency funds are not used, the amount of the grant would be reduced by that amount. "Total indebtedness would stay the same," The three change order items, which cost about half of the available contingency amount, are important to protect both the old and new equipment at the plant, Smith explained. All require EFC approval.

Another project that he recommended to the board is soil erosion control at lagoon 4, but the Department of Environmental Conservation must be consulted before that project can be proposed to EFC.

February Pay Application Request

General Contract – STC - \$181,203.65 and Electrical Contract – O'Connell - \$135,327.50.

Motion: by Ms. Lowes to pay the above bills to STC and O'Connell.

Second: by Mr. Wilkens All ayes. Carried

Mike also talked about the Electric Contract Change order in the amount of \$124,410.41 for building lightning protection, backup generator connection and portable generator unit. Recent work – remainder of air underground air piping installed, new electrical service, panels, wires and equipment. Garage exhaust fan and ducting installed.

Change order 2 Additional Work from O'Connell

| | | |
|----|--|--------------|
| 1. | Treatment Plant Building Lightning Protection (Bid Alternate E-1) | \$25,700.00 |
| 2. | Treatment Plant Standby Power – Generator Connection Box (Bid Alternate E-2) | \$11,200.00 |
| 3. | Standby Power – Portable Generator | \$87,510.41 |
| | Total | \$124,410.41 |

Motion: to approve the \$124,410.41 with the stipulation that EFC approves by Mr. Wilkens

Second: by Mr. Cappelli Vote 5-0

Motion: by Mr. Cappelli to accept the Engineers Report
Second: by Mr. Wilkens All ayes. Carried

Special Events

No report, just received the Bicycle Event.

Old Business

Brush – Tickets are finished.
Garbage Totes on hold.

New Business

Zoning Local Law Notice of Public Hearing set up for April meeting.

Motion: by Mr. Wilkens to set up the Public hearing for April 11th, 2016.
Second: by Mr. Brogcinski All ayes. Carried

Harold Morton stated that one of the garage doors is broken and needs to be replaced.
Some discussion about all of the doors being 40 years old.

Charlie stated that we have \$9,640 in contingency fund right now. Order one door now
and Mort will give us more prices for three and we will e-mail the board.

Price of \$3,600 to replace a broken door from Crawford door.
\$2,999.00 for a new door from Olean overhead door.
Jamestown overhead door \$3,249.00.

Public Hearing on Budget

Motion: by Mr. Wilkens to pass the budget.
Second: by Mr. Brogcinski 5 – 0 Vote

Correspondence

Time Warner
Southern Tier West Training
Input from Village Board on the Totes

Minutes from the Previous Meeting

Motion: by Mr. Wilkens to approve the minutes
Second: by Mr. Cappelli All ayes. Carried

Treasurer's Report & Audit of Claims

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|-------------------|---------------------|
| General - | \$132,885.00 |
| Water- | \$12,860.05 |
| Sewer- | \$43,826.07 |
| Sewer Cap- | \$333,218.39 |

Motion: by Mr. Brogcinski to pay the bills.
Second: by Mr. Wilkens All Ayes. Carried

Motion: by Mr. Wilkens to adjourn
Second: by Mr. Brogcinski All ayes. Carried