

**Regular Meeting
of the Board of Trustees and Public Hearing
Held on April 11th, 2016**

Attended:	John Burrell	Mayor
	Joe DiPasquale	Trustee
	Sherman Wilkens	Trustee
	Greg Cappelli	Trustee
	Patra Lowes	Trustee
	Harold Morton	DPW Supervisor
	Jason Paananen	Planner- Nuss & Clarke
	Jim Campolong	Engineer-Nuss & Clarke
	Nick Dobmeier	Engineer-Nuss & Clarke
	Mary Klahn	Village Clerk - Treasurer

Also attended: Mr. and Mrs. Daniel Mergenhagen, Bob McCarthy, Jann Wiswall from the Ellicottville Times and John Thomas from the Villager.

Good News – Progress meeting for WWTP improvements. Overall approximately 90% completions.

Approve minutes

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

Treasurers Report and Audit

General Fund-	\$60,570.41
Water Fund-	\$1,178.51
Sewer Fund-	\$19,257.52
Sewer Cap Fund-	\$140,905.43

Motion: by Mr. Wilkens to pay the bills.
Second: by Mr. DiPasquale All ayes. Carried

Public Hearing – Zoning Local Law-LOCAL LAW NO. 1 OF THE YEAR 2016

The new zoning law proposes to limit the height and square footage of accessory buildings to no more than 60 percent of the main building's height and 50 percent of it's

total square footage. The existing law's limits were 75 percent of both height and square footage.

Mr. and Mrs. Mergenhagen argued that the second story of a detached garage that met the new parameters, for example, would not be tall or large enough to be useful. They felt that people who just want more storage space might have no other choice than to erect multiple small storage structures.

Jason explained that the intent of the law was to safeguard against accessory buildings becoming larger than the lots principal buildings i.e. having two full-size residences on single lots. The planning board felt that this would damage the character of the neighborhood. There is no zoning law regulating the number of accessory buildings, however there are green space requirements and property setbacks that would limit the multiple storage building approach.

Bob McCarthy asked if zoning law addressed residential property upkeep. He specified two homes in particular that are in exceptionally poor condition. "It's rude to neighbors and other residents, and they bring down property values," Jason replied that the Village Code Enforcement Officer can condemn homes for safety and fire code violations, but that beyond that, government is limited in what it can do.

Mayor Burrell added that he had some concerns about some of the changes to the zoning law. First, he noted that the section on maintenance of the historic overlay/four corners area calls for design review of any changes or additions by the Village Board. He felt the planter on the front lawn of the Village/Town Hall was an over site. Second, he felt that rules regarding sandwich board signs are still somewhat vague. Third, he thought that the new maximum sizes of cloth banners that are used for a short term to promote events are too small.

Motion: to go into executive session to discuss the Town Water Contract by Mr. Cappelli.

Second: by Mr. Wilkens All ayes. Carried

Motion: to go out of the executive session by Mr. DiPasquale.

Second: by Mr. Wilkens All ayes. Carried

Motion: by Mr. DiPasquale to make Greg Cappelli the Deputy Mayor.

Second: by Mr. Wilkens All ayes. Carried

Mayor's Report

Local law #2 of 2015 with picking up the rubbish and sticks only 2 weeks a year.

Mayor Burrell and Mr. DiPasquale mentioned that they did not have a place to put them. Much Discussion; Mr. Cappelli responded that the amount of debris is a mess all summer long. It's a way of looking at the abusers and having something in place.

Minutes Joint Fire Commission

Sewer Demand charges – Jim Campolong gave an explanation of the reasoning. This is an annual fee to cover peak usage in the winter. Mayor Burrell questioned whether the fee should be annual even when there is a fund balance. This issue will return to a future agenda.

Meeting with John Alessi 4/04/16 – update on our meeting.

NYCOM Annual Meeting, Saratoga May 1-3

Motion: by Mr. DiPasquale to authorize Mayor Burrell the funds to attend the meeting.

Second: by Mr. Wilkens All ayes. Carried

Benches for the Village with memorials. The bench program has been going on for approximately 20 years and has been very popular, but many existing benches are wearing out and there has never been a plan for their maintenance, which has fallen to the Village. Brian McFadden would like to switch over to a high-quality plastic bench. Mayor Burrell suggested that the Chamber also address the maintenance issue.

Financial Report – March 31, 2016

Set Annual Organization Meeting after May 9th regular meeting

Motion: by Mr. Cappelli to have the organizational meeting immediately following the May 9th meeting.

Second: by Mr. Wilkens All ayes. Carried

DPW Report

- Put benches out and around the Village.
- Swept the streets around the Village.
- Cleaned Washington Street and Monroe Street.
- Received a new 1 ton truck.
- Read the water meters.
- Did all maintenance work on the sewer truck.
- Did maintenance on the lawnmowers and weed eaters.
- Started replacing the roof on the stadium at the park.

Sewer Report

1. Filled Lagoon #2 and emptied Lagoon #3.
2. Northrup's replaced the aerators in Lagoon #3.
3. Got the mule running again (battery and plugs.)
4. Videotaped the pipes under lagoon #4.
5. Collected all the samples for the wet testing and fed-ex picked them up.
6. Cleaned the wet well.

7. Cleaned the garbage.
8. STC got the 2 blowers temporarily hooked up so they can place the new blowers where they belong.

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

Second: by Mr. DiPasquale All ayes. Carried

Chris Woodarek is working on the stadium roof and we recently hooked up electricity near the stadium to help with the project.

On Wednesday we will be flushing the hydrants. A notice will be put in both papers.

All five overhead doors are ordered and will be installed at the DPW Garage.

Chips Memorandum

Our apportionment for this year is \$25,492.60.

Sidewalk on Fillmore Avenue

Nussbaumer will get a letter out to Mr. Sprague about the sidewalks located on Fillmore Avenue to make sure they are up to American Disability Standards.

Engineer's Sewer Report

Nick Dobmeier handed out some photos of the waste water treatment progress. Overall things are going well and gearing up the SEGR system soon. The new wastewater treatment plant is now 92 percent complete. However, some manufacturing delays required Nussbaumer & Clarke to request a one month extension of its target completion date, which will now be June 30. The good news, however, is that Trillium Way has not suffered the roadway damage engineers originally anticipated. As a result, Town officials have been asked to re-estimate repairs. If repair costs will be lower than expected, funds might be available for a few of the other items that were cut for budget reasons.

Motion: to pay STC \$59,543.07 and O'Connell \$66,072.50 by Mr. Cappelli

Second: by Mr. Wilkens All ayes. Carried

Nussbaumer and Clarke Electrical Contract Change Order No. 3 – Time Completion Extension at no cost. Moving substantial completion to May 31, 2016 and final completion to June 30, 2016.

Motion: to extend the completion dates above by Mr. Wilkens.

Second: by Ms. Lowes All ayes Carried

The billing register was down from last year in amount of uses being a poor ski season. The Production meters are still not working properly.

Motion: to accept the sewer report by Mr. Wilkens.
Second: by Mr. Cappelli All ayes. Carried

Public hearing for the Zoning Law

Motion: by Ms. Lowes to pass the Zoning Changes.
No Second.

Mayor Burrell stated that any necessary revisions would be on the agenda for the May meeting of the board. Bob Simon stated that he would have to wait to see what changes are recommended then before knowing if another public hearing should be held. He said it will be a matter of determining if further changes are substantial or not. Mr. Simon also noted that the next version of the revised law must be resubmitted to the county for approval.

Motion: to table the Zoning Changes by Mr. Wilkens.
Second: by Mr. Cappelli Patra – no, John – Yes, Greg – Yes, Sherman – Yes, Joey – Yes.

Zoning Report

PB-2015-15 – Edward Imhoff (Applicant) 13 Rockwell Avenue

Special Use Permit

Proposal to home business (chassis fabrication) in an existing accessory building.

Application submitted 3/1/2016.

Next Meeting May 10th, 2016.

Building Inspector's Report

Type of Permit	Project Description	Location	Applicant	Cost
BP-02-16	Renovation	21 Monroe St.	Brick & Brew	\$125.00
BP-03-16	Renovation	51 Mill St.	Peter Jaremka	\$225.00

Motion: to accept the Zoning report by Mr. Wilkens
Second: by Mr. DiPasquale All ayes. Carried

Motion: by Mr. Wilkens to accept the Building Inspector's report.
Second: by Mr. DiPasquale All ayes. Carried

Special Event Report

No Report

Motion: to close the public hearing by Mr. Wilkens
Second: by Mr. Cappelli All ayes. Carried

Old Business

Garbage Totes – Tabled

New Business

Lawn Sale – on the Village lawn held Saturday the 28th of May

Motion: by Mr. Wilkens to allow the lawn sale.
Second: by Mr. DiPasquale All ayes. Carried

American Cancer Society

American Cancer Society Relay of Life is asking to hold a boot drive on Washington Street –June 11th - Greg Cappelli felt that the money is collected in the community but does not necessarily come back to the community. For that reason, he felt it wasn't worth stopping traffic in the center of the Village. No one made a motion. John will get in touch with Pricilla Snyder to tell her this has been denied.

Fire Department Recruit Sign

Motion: by Mr. Cappelli to allow the sign.
Second: by Mr. Wilkens All ayes. Carried

Motion: to authorize bank signature's for all of the Village bank accounts as follows; John Burrell, Mary Klahn, and Greg Cappelli by Mr. Wilkens.
Second: by Mr. DiPasquale 5 – 0 vote

Motion: to make an extension of the Intermunicipal Agreement with the Town of Ellicottville for Town of Ellicottville Consolidated Water District No.1 and the Village of Ellicottville thru May 31 of 2017 with the existing agreement by Ms. Lowes.
Second: by Mr. Cappelli All ayes. Carried 5 – 0

Motion: to authorize Mayor Burrell to sign the agreement on or before May 9th by Mr. Wilkens.
Second: by Mr. DiPasquale All ayes. Carried

Correspondence

DEC Letter
Senator Young meeting has been cancelled and needs a new date.
Gov. Cuomo Letter

Municipal Solutions Letter

Motion: to adjourn by Mr. Wilkens

Second: by Mr. DiPasquale All ayes. Carried