

**Regular Meeting
of the Board of Trustees
Held on May 9, 2016**

Attended:	John Burrell	Mayor
	Joe DiPasquale	Trustee
	Sherman Wilkens	Trustee
	Greg Cappelli	Trustee
	Patra Lowes	Trustee
	Harold Morton	DPW Supervisor
	Mike Smith	Engineer
	Bob Simon	Attorney

Also attended: Jan Wiswall from the Ellicottville Times, Nick Pitillo, Petsy Peyser, Teresa Wagner, Jim Carls, Brian McFadden, Judy Roush, Clayton Silvernail, Dan Rider and Melanie Pritchard.

Minutes from April Meeting

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

Treasurer's Report and Audit of Claims

General-	\$44,635.63
Water-	\$11,055.28
Sewer-	\$27,772.35
Sewer Cap-	\$110,300.46

Take the twelve thousand back to Sewer fund from the Sewer Capital which was used to pay the previous bills.

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

Business from the floor:

Friends of Cat's. Betsy Peyser and Teresa Wagner briefed the board on a community-led plan to raise funds to capture, spay/neuter and provide basic veterinary care to the

growing population of stray cats that have been making their homes in the Village. They estimate the cost per cat will be \$60. The goal will be to reduce the population over time. Betsy stated that they have enlisted the help of a veterinarian who has volunteered to provide care. They estimate it will take several months and many volunteers to capture and treat most of the estimated 50 plus animals in the Village. Likely the effort will need to continue for several seasons. Betsy noted that the group is looking to borrow humane animal traps (e.g. Havahart) to use throughout the duration of the project. The traps will be returned. The fundraiser will be held on August 5th at the Town Center.

Jim Carls representing Dina's Restaurant, and Judy Roush, representing Tip's Up Restaurant, proposed that they be permitted to serve alcoholic beverages at their outdoor tables on Washington Street during the late spring and summer. They provided the board with a list of state rules and guidelines for outdoor alcohol service, along with a summary of their plans to manage the service.

Mayor Burrell said that, currently, existing law allows such service. Per state law, the service area must be cordoned off, five feet of sidewalk must be left available for pedestrians and wheelchairs and other standards must be met. Much discussion centered on if the change would encourage people to get up and leave the restaurant with their beverages, thereby violating the Village's open container law. The restaurant owners explained that there would be prominent signage, as well as staff on hand to help keep that from happening. The owners also said that no one would be allowed to just walk up and sit down in the area. They would be required to be seated by the host/hostess. Their goal is simply to allow customers to enjoy an alcoholic beverage with their meal.

This was the first the board had heard about the plan and members wanted more time to review the proposal and consult with Ellicottville police. The board agreed that restaurants should be required to obtain a Village permit and would need to agree to conform to certain standards. Because of the seasonal nature of the service, the board felt that the businesses should be able to start as soon as possible. Instead of waiting until the June meeting to discuss the matter again, a special meeting needs to be scheduled.

Motion: by Mr. Cappelli to have a meeting to the 18th of May at 7:00pm.

Second: by Mr. Wilkens All ayes. Carried

Clayton Silvernail the owner of 27 Martha Street stated that we have some confusion with who owns what part of the land on the side of his building. I am converting the building into three office spaces. Nancy Rogan stated they would give a conditional approval.

Nick Pitillo, owner of Villaggio restaurant, is planning a special event on May 21st and asked the board for permission to use two parking spots on Monroe Street in front of his building for a tent and food service. The board stated that in the future he must submit to the board's special events committee three months in advance.

Motion: to allow the tent for Nick's event by Joey DiPasquale with the intent that the tent has to have enough room for the alleyway traffic.

Second: by Mr. Cappelli All ayes. Carried

Mayor's Report

Matt McAndrew and John Burrell signed the extension of the water inter-municipal agreement.

Four Flushers meeting discussed purchasing a tablet for the water department to use.

Motion: by Mr. DiPasquale to change the agenda to Zoning

Second: by Mr. Wilkens All ayes. Carried

In response to issues that were talked about at the public hearing on proposed zoning law amendments. John Burrell and Village Planning Board Chair Nancy Rogan recommended that the board participate in joint meetings to resolve and redraft some sections of the amendments. The board agreed to schedule meetings to work through resident's concerns.

Back to the Mayor's Report

WWTP progress meeting April 25th.

Lawn Mowing – talked at the NYCOM meeting at what can be done. If we have a local law the County has to re levy. Bob Simon said the Attorney General is not the same as the County. A County can decide to not collect anything.

Local Law #2-2015 (Brush, Rubbish and weeds) – Mayor Burrell has an issue with the notice that we sent to all Village residents. We need to tighten it up and redo to make it legal. I have been unable to find minutes regarding board action last fall that reduced the number of brush/yard waste pickups by the Department of Public Works to two per season. Mayor Burrell also pointed out that a mailing to residents on the subject referenced the wrong law. Board members assured Mayor Burrell that the action was, indeed, taken by the board.

Minutes from the Joint Fire Commission

Insurance Quotes – Mayor Burrell asked the board to accept the low bid for Village insurance coverage from the Evans Agency (representing Trident Insurance) at a cost of \$22,572.16

Motion: to stay with Evans Agency – Trident quote of a \$22,572.16 by Mr. Cappelli

Second: by Mr. Wilkens All ayes. Carried

Adam Delity has an ongoing drainage problem behind his home. We need a tracked vehicle being it's so wet. John will call the neighboring owner.

Village park roofs are complete thanks to Chris Woodarek.

Workman's Compensation cost is going up approximately 40%, \$15,000 more than budgeted for in next years budget.

Sewer Capital Reserve Fund Borrowing – discussed information from Municipal Solutions

DPW Report

1. Worked on the new truck installing lights.
2. Did maintenance work on the mowers to get ready for the season.
3. Flushed the hydrants in the Village and Town.
4. One new overhead door installed at the shop.
5. Started mowing at the park and arboretum.
6. Picked up brush around the village.
7. Swept the streets around the village.
8. Planted the trees around the village.
9. Repaired the clock and installed a new motor.
10. Worked on the ball field at the park.
11. Did some hot patch and on Fillmore.
12. Repaired sewer manhole cover on Donlen Drive.

Putting in a new flower bed in the front of the Coffee Culture.

Motion: by Mr. DiPasquale to put in the new flower bed.

Second: by Mr. Wilkens All ayes. Carried

The work on the street at Fillmore was addressed by Mayor Burrell. His thoughts are that the contractors should have fixed the streets. It needs to be enforced by Harold Morton.

The DPW have several items that need to be purchased.

Permission to authorize by Mr. Cappelli, to pay for the extras if the General Fund has the funds.

Second: by Mr. DiPasquale All ayes. Carried

Ms. Lowes asked about the fence at the park is too high and a dog got seriously injured. Harold Morton will move some dirt to help the situation.

Sewer Report

1. Attended aeration technology training in Dunkirk.
2. The fence people fixed the fence and it is complete now.
3. Talked to the Mayor about Lagoon #1 needing the sludge to be removed or it will lead to treatment problems.
4. STC dropped the WIER at the end of Lagoon #4.
5. STC capped the old force mains in the chamber between Lagoons 1 & 2.
6. Cleaned the UV Building and pump station.
7. Did dig requests.
8. Koester's tech. fixed the uv lites.
9. Got the lawnmower and the mule running.
10. Added the water to the manhole at the pump station to exercise the pumps.

Engineer's report

Progress report – Electrical switch over is pushed back until the 19th and 20th of May.
STC on treatment plant – change order number 4. Most current wages needs to be added.

Motion: for the cost change order #4 by Mr. Wilkens

Second: by Mr. Cappelli All ayes. Carried

Zoning

Mike Smith has a new planner being Jason left last month.

Edward Imhoff from 13 Rockwell Avenue is proposing to operate a chassis fabrication in existing accessory building.

Clayton Silvemil from 11 Martha Street is proposing to construct 3 professional office spaces in an existing one story structure.

Shane Kell is proposing to replace façade windows on the second and third floors of commercial building.

Building Inspector's Report

Type of Permit	Project Description	Location	Applicant	Cost
BP-05-2016	Fence	25-29 Eliz.	Jeff Hayes	\$25.00
BP-06-2016	Deck	1 Eliz. St.	Ed Crowther	\$75.00
BP-07-2016	Fire Repairs	22 Eliz. St.	Frank Giacobbe	\$1,370.00
BP-08-2016	Deck	20 Rockwell	Pandy Wilkens	\$48.00

Motion: to accept the Building Inspector's Report by Ms. Lowes.
Second: by Mr. Wilkens All ayes. Carried

Special Events

Summer Music Festival
Jazz and Blues Festival
Taste of Ellicottville
Outdoor Expo

Motion: to approve the above festivals by Mr. Cappelli pending on the insurance.
Second: by Mr. Wilkens All ayes. Carried

Old Business

Benches – We have had a lot of feedback that the overall outlook is that we don't like the new benches Brian McFadden is trying.

Problem with perpetual care for the benches and Mayor Burrell is proposing that we take 5 or 10 benches a year and have the ends cleaned up and replaced with the plastic slats and in the following years budget.

Motion: Not to use Brian's new benches by Mr. Cappelli
Second: by Ms. Lowes All ayes. Carried

Back Hoe Bids

A & D Engels, Inc. \$12,559.00
Bob Scharf \$10,850

Motion: by Mr. DiPasquale to accept the bid from A & D Engels for \$12,559.00
Second: by Ms. Lowes All ayes. Carried

New Business

Gross Receipts Tax – NYCOM – Village – National Grid – National Fuel or Verizon – we can tax them 1% of the gross receipts. This will not affect our tax cap.

Rebuild the sidewalk plow this summer.

Mike Kerns would like to operate an Ice cream truck. We need to look into the law and go from there.

Rodeo/sign permission

Motion: to let them put up the signs as long as they won't block the view for traffic by Mr. Wilkens.

Second: by Mr. Cappelli All ayes. Carried

Cattaraugus County Municipal Officials Association meeting will be May 12th, in Portville.

Southern Tier West Conference – Houghton will be May 17th

Eastern Star would like to use the lawn on June 11th

Motion: to allow the Eastern Star Group to use the lawn on June 11th by Mr. Cappelli

Second: by Mr. DiPasquale All ayes. Carried

Correspondence

State Insurance Fund

Senator Young

Time Warner

Environmental Facilities Corporation

Ms. Lowes stated that we should e-mail the correspondence instead of making copies.

Motion: by Mr. Wilkens to adjourn

Second: by Mr. DiPasquale All ayes. Carried

Adjourn the organizational meeting to the 18th at 7pm by Mr. DiPasquale

Second: by Mr. Wilkens All ayes. Carried