

**Regular Meeting and Public Hearing
Of the Village Board
October 17, 2016**

Attended:	John Burrell	Mayor
	Sherman Wilkens	Trustee
	Greg Cappelli	Trustee
	Joe DiPasquale	Trustee
	Patra Lowes	Trustee
	Harold Morton	DPW Supervisor
	Kathleen Moriarity	Attorney
	Jim Campolong	Engineer
	Nick Dobmeier	Engineer

Attended: Jennie Aklin, Job Lowry, Nancy Rogan and Mark Chudy and Bill Finnerty.

Call meeting to order by Mayor Burrell at 6:PM.

Pledge to the flag

Good News – New Employees, Job Lowry and Mark Chudy.
Cattaraugus County Municipal Officials Association 10/13/16 NYCOM

Public Hearings

Local Law #2 One Way Alley

Mr. Wilkens stated it will affect people going east. Ms. Lowes is not in favor being she feels it is not safe. Mr. Cappelli feels we need a speed bump to protect pedestrians. Delivery trucks are causing a congestion problem and concerns are about potential accidents happening when vehicles come out of the alley onto Monroe Street and don't see pedestrians or other vehicles coming down the street. Three business owners were mentioned as wanting Hughey Alley to go back to being a two-way alley.

Local Law #3 Leash Law

The current law allows a dog to run at large if the owner or responsible person accompanies a dog and is under the full control of such owner or person (without requiring a leash). The proposed leash law amendment states that, "It shall be unlawful for any owner of any dog in the Village to permit or allow such dog to run at large; a dog owner is required to keep his or her dog on a leash at all times unless the dog is contained on private property with the permission of the property owner."

Approve Minutes

Motion: to approve the September 12th minutes by Mr. Cappelli
Change Shane Kell to proper spelling. Mayors Report, make change under financial report and chamber in response to the policing money.
Second: by Mr. Wilkens All ayes. Carried

Motion: to approve the September 27th Special Meeting minutes by Mr. Wilkens
Second: by Mr. Cappelli All ayes. Carried

A Mayor's Report – Financial Report

Ms. Lowes is requesting once again to have the Check lists as prior.

Motion: by Mr. Cappelli to accept the financial report
Second: by Mr. DiPasquale All ayes. Carried

Benches: Harold Morton and John Burrell met with the Lions club and we will take 10 or 12 to Springville to the warehouse at a time to have them replace with new lumber, and then replane and sand the old lumber on subsequent benches, along with painting and additional required maintenance. The labor will be done on a volunteer basis by the Lion's Club, and the Village will pay for maintenance items, which will be a minimal cost, according to Mayor Burrell.

Treasurers Report and Audit of Claims

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

Business from the floor

Bill Finnerty spoke about opening a new restaurant, to be called Finnerty's Pub, in the former Armor Inn Tap Room building on Mill Street, next to Kwik Fill and across from the Wingate Hotel. Finnerty was in attendance at the board meeting to also request a waiver of the State Liquor Authority 30 day notice, which the board granted. He hopes to address all licensing approvals with the SLA and Village Planning Board, and looks towards a mid-December 2016 opening of his pub.

Four Flushers Meeting October 17, 2016

Christmas lighting – Jim Carls of Dina’s approached Mayor Burrell with a suggestion to try some different Christmas lighting ideas for this upcoming season, and suggested meeting with Doug Sitler, owner of Sitler HQ, best known for creating the Night Lights events at Griffis Sculpture Park, the Nannen Arboretum, the Buffalo & Erie County Botanical Gardens and the Heron. Doug will be in charge with help from the DPW. The DPW will string all of the power cords and Doug and his people will do most of the decorating. They are trying to build up a fund and John has just been asked if we could come up with \$1,000.

Motion: to donate \$1,000 to the lights fund by Mr. Cappelli.

Second: by Mr. Wilkens All ayes. Carried

Water – Training: Gerard Stokes and Jesse Klahn have successfully passed D & C licenses.

Gerard Stokes, Jesse Klahn and Tom Dineen have successfully passed the B course. \$11,392 for all of the training.

Fall Festival – Positive comments and no complaints.

Joint Fire Commission Minutes

Sidewalk Café

Regulations time is up. Hours of operation is a problem and needs to be fine tuned.

State Audit process – Purchasing and Audit of Claims review. June 1st of 2014. Automatically review our audit of claims.

Department and Committee Reports for approval

Planning: Nancy Rogan – spoke about what wasn’t in the paper with a revision on the Bacon property. Some additional public parking. Nancy is thinking probably 8 new spaces but not final. Weed Ross will be moving to the other end of Monroe Mill Street subdivision is still being worked on, and change of owners. Additionally, a special meeting on 35 Washington Street.

Motion: by Mr. Cappelli to go into executive session

Second: by Mr. Wilkens All ayes. Carried

Motion: by Mr. Cappelli to come out of executive session

Second: by Mr. DiPasquale All ayes. Carried

DPW Report

Motion: to accept the DPW report by Mr. Wilkens

Second: by Greg Cappelli All ayes. Carried

Flushing hydrants on the 24th and 25th of October.

Engineering Report – Nick Dobmeier and Jim Campolong

Water - Jim Campolong brought the new tough book computer with him and has been working on programming. Mort has helped with the data to get it started. John asked about GPS and locations? Jim does not know the capabilities yet. We also need a new computer for the DPW. Need something in the office for standard computer.

Sewer – Nick Dobmeier received a pay estimate from O’Connell Electric and forwarded to the Village. Another service regarding 35 Washington we had a survey crew come out and determined elevations. 27.1 inch was in conformance of the regulations. John Burrell needs Nussbaumer to sign off on the O’Connell Electric bill. They say that they are finished. Nothing is set up to sign off at this time.

Code Enforcement – Tom Abriatis

Received a letter from Tom stating that he is planning on retiring in March of 2017

Type of Permit	Project Description	Location	Applicant	Cost
BP-29-2016	Demolition	49 Wash.	M&T Bank	\$50.00
BP-30-2016	Fence	17 W. Wash.	Kyle Luther	\$25.00
BP-31-2016	Tent Permit	Wash. St.	Ski Patrol	
BP-32-2106	Storage Addition	17 Elk St.	Mark Carrier	\$25.00
BP-33-2016	Tent	20 Monroe St.	Mike Kerns	\$100.00
BP-34-2016	Tent	Wash. & Jeff.	Sean Lowes	\$100.00
BP-35-2016	Fence	5 Monroe St.	Sean Lowes	\$25.00
BP-36-2016	Tent	28 Monroe St.	Pete Kreinheder	\$100.00

Letter of Retirement effective March of 2017

Parks – Greg Cappelli

Dog park is almost completed. Very grateful to the DPW for all of the efforts by them. Moved along quite well. Proposal to call the park “Elmer’s”

Motion: by Greg to name the dog park “ Elmer’s Dog Park “ and have proper signage for the public.

Second: by Mr. DiPasquale All ayes. Carried

Beautification – Joe DiPasquale

Flowers have been taken down. Great comments!

Sidewalks – Sherman Wilkens

The walkway between the sidewalk and Washington Street needs to be addressed.

Mort plans to fix next week including a spot on Martha and Cody Sprague’s endmarks.

Special Events – John Burrell

Met with Doug Bush on the Half Marathon/5K – Closing a lane on the Maples Road
Paying for 2 Town Ellicottville Police officers to cross people on corner of Washington and Monroe Streets.

Refuse – Patra Lowes

Nothing

Parking – Greg Cappelli

Nothing

Village Clerk – Mary Klahn

Payroll and Accounting is going well. Working on switching the billing system soon.

Executive Session – Legal Matters

Motion: by Greg to go into executive session at 7:45.

Second: by Mr. Wilkens All ayes. Carried

Motion to go out of executive session at 8:15 by Mr. Wilkens

Second: by Mr. Cappelli All ayes. Carried

Old Business

New Pump for Town Water Booster Pump

\$9,242 pump needs to be purchased and the Town would like us to pay for. We will talk again at budget time.

No calls for overhead doors.

Village court audit - \$1500 from the Town firm

Mercers are not comfortable doing an audit.

Noise at Donlen Drive – Fans are on an automated system at a lower speed and sound is down.

New Business

ZBA Appointment – Mayor Burrell is appointing Lisa Saunders to take the position.

Motion: by Mr. Wilkens to appoint Lisa Saunders
Second: by Mr. Cappelli All ayes. Carried

Town Water Maintenance Manager – The board discussed the hiring of a part-time temporary water maintenance manager by the Town of Ellicottville, to oversee the Ellicottville Joint Water District. Bob Scharf is the candidate and will be working 40 to 60 hours per month. The Town of Ellicottville is asking the Village to pay for this manager, and Village board members agreed that more time was needed to look into the matter further, once they had the necessary data and pertinent information. A public Works Director may also be hired and Village board members voted in favor of authorizing a study of the possibility of having a joint Town and Village Superintendent of Public Works.

Looking at this as temporary until the Town feels we are doing what we need to do to hold up our end being for the last four years they feel we have not held up the bargain. The tough books will give a better idea of what we are doing. In December we will have the tough books and will have a better idea what we need to do. Also, at the four flushers meeting we talked about having a new water district that would be run by a board of commissioners.

Motion: To authorize John Burrell and Matt McAndrew to study the position for a public works manager by Mr. Cappelli to study the position for the Town and Village.
Second: by Mr. DiPasquale All ayes. Carried

Health Insurance Proposal

New proposal is to change to Independent Health which will be a 1.1% increase.

Motion: by Mr. Cappelli to switch to Independent Health
Second: by Mr. DiPasquale All ayes. Carried

Health Insurance Employee Withholding

Motion: to adjust per the explanation sheet by Mr. Wilkens
Second: by Mr. DiPasquale All ayes. Carried

SLA 30 day notice waiver

Motion: to waive the 30 day notice for the Liquor License by Mr. Wilkens
Second: by Mr. DiPasquale All ayes. Carried

Correspondence

Charter/TWC John will give the information to outside people.

CCIDA

Jody Bentley – Resigned from the ZBA Board Sept 15th

Motion: by Mr. Wilkens to accept the resignation.

Second: by Mr. Cappelli All ayes. Carried

Motion: by Mr. Wilkens to close the public hearings

Second: by Mr. Cappelli All ayes. Carried

Motion: by Mr. Cappelli to accept the changes to the leash law.

Second: by Mr. DiPasquale All ayes. Carried

Motion: to repeal the local law on Hughey Alley by Mr. Cappelli

Second: by Mr. DiPasquale Ms. Lowes – No, Mr. Wilkens – No, Mr. DiPasquale – Yes, Mr. Cappelli – Yes, Mayor Burell – Yes.

Motion: by Mr. Cappelli to adjourn at 8:40pm

Second: by Mr. Wilkens All ayes. Carried