

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE, January 20, 2021, 2020 at 6:00 pm

<b><u>Present:</u></b>	Matthew McAndrew	Supervisor
	Greg Fitzpatrick	Councilman
	Ken Hinman	Councilman
	John Zerfas(6:10pm)	Councilman
	Steve Crowley	Councilman
<b><u>Via phone:</u></b>	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Tom Scharf	Highway Superintendent
	Ben Slotman	Town Engineer
	Gary Palumbo	Town Planner
	Don Auge	OIC

**Others present via phone:** Dick Rivers

**Call meeting to order:**

Supervisor McAndrew called the meeting to order at 6:00pm and led the Pledge to the Flag. The meeting was not open to the public (in person) but could be accessed via teleconferencing.

**Approve Minutes**

- Town Board Meeting –December 16, 2020
- Organizational Meeting – January 4, 2021

On motion by Mr. Hinman and second by Mr. Zerfas the minutes of the December 16<sup>th</sup> Board meeting were:

Accepted     Ayes 4 - McAndrew, Crowley, Hinman & Fitzpatrick  
                  Nays 0

On motion by Mr. Crowley and second by Mr. Fitzpatrick the amended minutes of the January 4<sup>th</sup> Organization Board meeting were:

Accepted     Ayes 3 - McAndrew, Crowley & Fitzpatrick  
                  Nays 0

**Audit of Claims**

- Pay Town bills on Distribution Report #01-2021

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

Accepted Ayes 4 - McAndrew, Crowley, Hinman & Fitzpatrick  
Nays 0

**Resolved** that the Town bills be paid on General Ledger Distribution Report 01-21 as follows:

001 - General Fund A:	\$ 39,127.33		
002 - General Fund B:	\$ 42,505.64		
		General Fund Total:	\$ 81,632.97
004 - Highway DB	\$ 28,171.03		
		Highway Fund Total:	\$ 28,171.03
006 - Water	\$ 35,872.03		
		<u>006 - Water Fund Total</u>	<u>\$ 35,872.03</u>
		Grand Total:	\$104,666.46

### **Supervisor's Reports**

- Accept Supervisor's December 2020 Financial Report

**On motion** by Mr. Crowley and second by Mr. Fitzpatrick the Supervisor's December 2020 Financial Report was

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

- Fleet Lease Meetings

A meeting was held with Bancorp. Once all the information is gathered, Mr. Slotman will be able to compare Bancorp to Enterprise.

- Water Meeting

A meeting was held to discuss the gap in expected water revenue and find a solution to bridge that gap. Another meeting is scheduled for January 28<sup>th</sup> at 4:00pm.

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

- Clerk's, Police, Justice and Planner's Reports

On **motion** by Mr. Hinman and second by Mr. Fitzpatrick the Clerk's, Building Inspector, Police, Justice and Planners reports were:

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

### **Department Heads**

- **OIC Auge - Police Department**

A new police vehicle has been ordered. It is expected to be delivered at the end of April. A decision needs to be made whether or not to put the old vehicle out for auction or trade it in. The Fire Department would like it, too. Auge will look into its value.

OIC Auge is setting up Heavy Equipment training for his department. A lot of truck traffic passes through Ellicottville and there are heavy fines for violations. It could be a source of revenue for the Town.

- **Gary Palumbo – Town Planner**

- A Southern Tier Trail meeting is scheduled to discuss the segment that will pass through Ellicottville.
- Looking into a Community Planning Grant for Infrastructure
- A request has been received for a Pre-Application Conference for a Tier 3 Solar Farm on Sommerville Valley Road.
- A pre-application conference for 11 individual structures for short-term rental is scheduled.
- Drafted a revised fee schedule to better capture costs for extra meetings and other extra-ordinary expenses for Planning Board reviews/approvals. More complicated projects will be charged more than a simple, straightforward one.

- **Ben Slotman – Engineering Department**

- Engineering Report
  - The LGE payment application has been signed and submitted.
  - A contract for the mowing at the Arboretum needs to be drawn up.
  - The State had some comments about the WII Grant. Revisions have been made.
  - CPL is working on plans for the water project. The DOH has safety concerns with the Town's Chlorine Gas Disinfection Systems at the well houses.

Mr. Slotman is suggesting a Sodium Hypochlorite System for safety reasons even if it more expensive.

- **Tom Scharf - Highway Department**

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

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

Resolved that the Town Board accept the Agreement for the Expenditure of Highway Moneys as presented.

### **New Business**

- Resolution – Renewal of Exemptions

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

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

WHEREAS, on March 7, 2020, Governor Andrew M. Cuomo issued Executive Order Number 202, declaring a State disaster emergency for the entire State of New York, and

WHEREAS, on December 18, 2020 said declaration was extended to include: Subdivisions 7, 7-a and 8 of section 459-c of the Real Property Tax Law, and subdivisions 5, 5-a, 5-b, 5-c and 6 of section 467 of the Real Property Tax Law which permits the governing body of an assessing unit to adopt a resolution directing the assessor to grant exemptions pursuant to such section on the 2021 assessment roll to all property owners who received that exemption on the 2020 assessment roll, thereby dispensing with the need for renewal applications from such persons, and further dispensing with the requirement for assessors to mail renewal applications to such persons, and

WHEREAS, the Town is desirous in adopting such resolution while also allowing the assessor to require a renewal application to be filed when he or she has reason to believe that an owner who qualified for the exemption on the 2020 assessment roll may have since changed his or her primary residence, added another owner to the deed, transferred the property to a new owner, or died, now therefore, be it

RESOLVED, that the Town Board is authorized to pass such resolution, and that the assessor is instructed to take and such necessary actions in the above-described directives.

- Resolution – Permit and Application fees revisions

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

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

**RESOLVED** that the Permits/Applications: Explanations & Fees revised September 11, 2020 and January 7, 2021 be approved.

### **Old Business**

- Valley Village

Ms. Moriarty will follow up to get the letter of intent signed. Mr. Slotman is working on design and estimates for the project.

- Quackenbush Update

The Town did get a response from the County. There will be a meeting on how to deal with the issue next week

- EVGV Trail

Recently there have been several large private donations

- Catt County Extension Lease

The proposed lease agreement will be discussed in executive session.

### **Executive Session**

Motion by Mr. Hinman, seconded by Mr. Fitzpatrick to go into executive session at 6:50pm. All Ayes. Carried.

Motion by Mr. Hinman and seconded by Mr. Fitzpatrick to resume regular session at 7:24pm. All Ayes. Carried.

### **Adjournment**

Motion by Mr. Crowley and second by Mr. Zerfas to adjourn the meeting at 7:25pm. 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 20th day of January, 2021, approved by said Board on the 17th day of February, 2021

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Robyn A. George, Town Clerk