

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE AUGUST 21, 2019 at 6:00 pm
ELLICOTTVILLE TOWN HALL

<u>Present:</u>	Mathew McAndrew	Supervisor
	Ken Hinman	Councilman
	Steve Crowley	Councilman
	John Zervas	Councilman
	Niles Pierson (via phone)	Town Engineer
	Tom Scharf	Highway Superintendent
	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Don Auge	Officer in Charge

Absent: Greg Fitzpatrick Councilman

Others present: John Thomas, Ginna Hensel, and Caitlyn Croft, press

Call meeting to order:

Supervisor McAndrew called the meeting to order at 6:00pm and led the Pledge to the Flag.

Approve Minutes

- Town Board Meeting - July 17, 2019
- Special Meeting - July 31, 2019

On motion by Mr. Zervas and second by Mr. Hinman the minutes of the July 17, 2019 and July 31, 2019 Board meetings were

Accepted Ayes 4 - McAndrew, Crowley, Zervas, Hinman
Nays 0

Audit of Claims

- Pay Town bills on Distribution Report #07-19

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

Accepted Ayes 4 - McAndrew, Crowley, Zervas, Hinman
Nays 0

Resolved that the Town bills be paid on General Ledger Distribution Report 07-19 as follows:

001 - General Fund A:	\$ 60,534.03		
002 - General Fund B:	\$ 5,895.12		
		General Fund Total:	\$ 66,429.15
003 - Highway DA	\$ 93,035.62		
004 - Highway DB	\$ 82,268.76		
		Highway Fund Total:	\$175,304.38
006 - Water	\$ 8,966.71		
		006 - Water Fund Total	\$ 8,966.71
007 - Sewer	\$ 1,112.50		
		007 - Sewer Fund Total	\$ <u>1,112.50</u>
		Grand Total:	\$251,812.74

Supervisor's Reports

- Supervisor's Report

On motion by Mr. Hinman and second by Mr. Zerfas the Supervisor's July 2019 Financial Report was

Accepted Ayes 4 - McAndrew, Crowley, Zerfas, Hinman
 Nays 0

- Solar Zoning Meeting

The Solar Zoning Committee met and identified items of concern that they would like to see addressed in the Zoning amendment. John Zerfas prepared a draft map showing the Electric Power Grid that would accommodate Solar Farming with the current technology and recently proposed project. The Committee recommended that the Planning Board prepare a draft of the Zoning Amendment. Councilman Zerfas and ZBA Chair Cindy Dayton will be involved.

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

Accepted Ayes 4 - McAndrew, Crowley, Zerfas, Hinman
 Nays 0

Resolved that the Town move forward with preparing a zoning amendment to allow and regulate solar farms and residential solar installations and charge the Planning Board with the task of preparing a draft.

- Shared Services Meeting

The 2018 grant is in the last part of a 3 part review. Once complete, the Town will receive approximately \$32,000.

Supervisor McAndrew said that municipalities need to come up with new ideas for shared services. He suggested that municipalities share IT services with the County. Mansfield is interested in sharing Code Enforcement duties with Ellicottville. The next meeting is at 6:00pm at the Town Center. The deadline for completion of the plan is January 13, 2020.

- DRI Grant

Although Ellicottville was a finalist, this year's DRI Grant was awarded to Niagara Falls.

Present Written Department Reports for Approval

- Clerk's , Justices', Building Inspector's, Planners and Police Reports

On **motion** by Mr. Hinman and second by Mr. Zerfas the Clerk's Report, Justice Report, Building Inspectors Report and the Police Report were:

Accepted Ayes 4 - McAndrew, Hinman, Crowley, Zerfas
 Nays 0

Department Heads.

Don Auge - Police Department

- EPOA Contract Review

The Board met to review the EPOA Contract and would like to go over their concerns with OIC Auge and Attorney Moriarty. A meeting was scheduled for September 27th at 4:00pm.

Niles Pierson - Engineering Department

- Monthly Report

- Street Light Conversion

National Grid sent a contract to convert existing roadway streetlights to LED. Mr. Pierson will review it.

- Dude Solutions

On-site training was held at the DPW building with all of the division supervisors. The Water Department is now using the system to track jobs, etc. The Building/Code Enforcement is live and the CEO has issued over 20 permits using the new software program.

- NYSDOS Engineering Grant

The first engineering grant reimbursement check should be arriving this month in the amount of \$150,000.00.

- NYSERDA Town Center Project

The window installation is approximately 75% complete. All existing light fixtures throughout the building have been replaced with LED bulbs.

- Street Sign Inventory

The Town has 584 street signs valued at \$29,200.

- Cattaraugus County Soil and Water Conservation is giving the Town a grant of approximately \$20,000 to install limestone rip-rap in some of the roadside ditches. The roads include Town Line, Simmons and Quakenbush Roads.

- Valley Village

A meeting was held with Valley Village road representatives and Holiday Valley representatives. A plan to discontinue the road as a public Town road was agreed upon by all parties. A draft proposal will be prepared for the Valley Village HOA meeting in October. The Town would like an estimate of the cost and timeline.

- Engineering Proposals

The Town received 6 proposals for Engineering Design and Construction Service for the Drinking Water System Improvements Project. They ranged from \$500 - 750,000. Mr. Pierson is in the process of reviewing them.

Tom Scharf - Highway Department

Sommerville Valley/Jed Lane Box Culvert has been installed and should be open by the end of the week.

- Hyundai Loader

Superintendent Scharf would like to order new loader this year for next year delivery. \$25,000 was budgeted and the quote came in at \$27,214 (with \$110,000 trade-in of the 2016 model). The Town's practice has been to order a new one every 3 years so it remains under warranty.

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

Accepted Ayes 4 - McAndrew, Crowley, Zerfas, Hinman
 Nays 0

Resolved that Mr. Scharf is authorized to order a Hyundai HL940 Wheel Loader for \$27,214.00 as quoted for delivery next year.

- EFC Drinking Water Grant

The Town will be applying for the Drinking Water Grant. The project would total \$5M with a potential \$3M grant. Application is due by September 13th.

- Resolution to Sign Grant Applications

On **motion** by Mr. Crowley second by Mr. Zerfas the following resolution was Accepted

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved that the Town Board hereby authorizes Niles Pierson, Town Engineer, on behalf of the Town of Ellicottville and its governing body to submit an application to New York State Environmental Facilities Corporation (EFC) for assistance through the Drinking Water State Revolving Fund (DWSRF).

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

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved that the Town Board authorize Niles Pierson, Town Engineer, as the official representative of the Town of Ellicottville and its governing body to submit

an application for a New York State Water Infrastructure Improvement Act (WIIA) grant and all understandings and assurances contained therein, and directing and authorizing Niles Pierson to act in connection with the submission of the application and to provide such additional information as may be required

New Business

- Margaret Signore Resignation

Margaret Signore submitted her resignation from the Planning Board. The Board commended her on her many years of service and dedication.

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

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved to accept the resignation of Margaret Signore from the Town of Ellicottville Planning Board.

Mrs. Signore's resignation will leave the position of Chairperson vacant and a spot will need to be filled. The Board will be looking for recommendations from the Planning Board and possibly advertise to fill the vacancy.

- Tax Cap Resolution

On **motion** by Mr. Crowley second by Mr. Hinman the following resolution was Accepted

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

AUTHORIZING PUBLIC HEARING ON
LOCAL LAW NO. 1 - 2019

WHEREAS, there has been duly presented and introduced at a meeting of the Town Board of the Town of Ellicottville held August 21, 2019 proposed Local Law entitled

“A LOCAL LAW TO OVERRIDE THE TAX LEVY LIMIT
FOR FISCAL YEAR 2020”

WHEREAS, no Local Law shall be adopted until a Public Hearing thereon has been held by the Town Board of the Town of Ellicottville upon at least five (5) days notice, now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the said proposed Local Law by this Board on the 18th day of September at 6:00 o'clock pm at the Town Hall, Town of Ellicottville, NY, and that at least five (5) days notice of such Hearing shall be given by the Town Clerk by the due posting thereof upon the Bulletin Board of the Town and by publishing such notice at least once in the official newspaper of the Town.

- Accept Court Audit

On **motion** by Mr. Crowley second by Mr. Zerfas the following resolution was Accepted

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved that the Town Board accept the Independent Accountants of Tronconi, Segarra & Associates Audit of the Town Court for the year 2018 as presented

- Assessor Appointment

Assessor Harry Weissman's term will expire September 30,2019.

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

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved that the Town Board re-appoint Harry Weissman to the position of Assessor effective October 1, 2019 to September 30, 2025.

- Senior Citizens Exemption

On **motion** by Mr. Crowley second by Mr. Hinman the following resolution was Accepted

Ayes 4 -McAndrew, Hinman, Zerfas and Crowley
Nays 0

AUTHORIZING PUBLIC HEARING ON LOCAL LAW NO. 1 - 2019

WHEREAS, there has been duly presented and introduced at a meeting of the Town Board of the Town of Ellicottville held August 21, 2019 a proposed Local Law entitled

"A LOCAL LAW AMENDING LOCAL LAW NO. 5 - 2016 GRANTING PARTIAL
EXEMPTION ON REAL PROPERTY TAXATION TO CERTAIN SENIOR
CITIZENS"

WHEREAS, no Local Law shall be adopted until a Public Hearing thereon has been held by the Town Board of the Town of Ellicottville upon at least five (5) days notice, now, therefore, be it

RESOLVED, that a Public Hearing shall be held on the said proposed Local Law by this Board on the 6th day of September at 6:00 o'clock pm at the Town Hall, Town of Ellicottville, NY, and that at least five (5) days notice of such Hearing shall be given by the Town Clerk by the due posting thereof upon the Bulletin Board of the Town and by publishing such notice at least once in the official newspaper of the Town.

- Water District Extension

The following was offered by Steven Crowley and seconded by John Zerfas:

**FINAL ORDER ESTABLISHING TOWN OF ELLICOTTVILLE EXTENSION
NO. 1 TO THE CONSOLIDATED WATER DISTRICT NO. 1
(AUGUST 21, 2019)**

WHEREAS, pursuant to Town Law, the Village Board of Trustees of the Village of Ellicottville (the "Village Board" and "Village," respectively) adopted a resolution, subject to permissive referendum, granting permission for the Town of Ellicottville, Cattaraugus County, New York (the "Town") to create an extension of a water district within the Village; and

WHEREAS, such permissive referendum period has elapsed without the filing of a petition; and

WHEREAS, the Town Board of the Town of Ellicottville (the "Town Board") has, pursuant to Town Law Article 12-A, caused MDA Consulting Engineers, PLLC competent engineers duly licensed by the State of New York, to prepare a preliminary map, plan and report for the establishment of Extension No. 1 to the Town of Ellicottville Consolidated Water District No. 1 (the "Extension No. 1"); and

WHEREAS, such map, plan and report is on file at the office of the Town Clerk, and available for public inspection at said location; and

WHEREAS, such project will generally consist of the preparation of a map, plan and report for the purpose of establishing a water district Extension No. 1 to the Consolidated Water District No. 1 in order to maximize efficiency and streamline the

administration and management of the water treatment and distribution system with the Ellicottville (Town and Village) water systems, as more fully identified in (or contemplated by) such map, plan and report referred to above, including all related ancillary work, preliminary costs and costs incidental thereto (collectively referred to herein as the “Project”); and

WHEREAS, the proposed Extension No. 1 consists of the entire Village of Ellicottville; and

WHEREAS, the Town Board proposes to assess the properties in the proposed Extension No. 1 on a benefit assessment basis computed upon “equivalent dwelling units” (“EDUs”); and

WHEREAS, the maximum amount proposed to be expended for the Project is estimated to be \$40,000; and

WHEREAS, in light of the overall benefit the Project will have to Extension No. 1 and to the existing Consolidated Water District No. 1 (the “CWD”), the Town Board has determined to allocate approximately 60% (approximately \$24,000) of the cost of the Project to residents in the CWD through a separate Town proceeding and intends, to the extent necessary, to levy special assessments against the properties in the CWD as determined by law; and

WHEREAS, Extension No. 1 discussed herein will only be responsible for approximately 40% (approximately \$16,000) of the total cost of the Project; and

WHEREAS, the cost of the Project attributable to the residents in the proposed new Extension No. 1 is \$16,000 and unless such estimated maximum cost is to be paid from other sources or charges (including, but not limited to, water rents), such cost will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed Extension No. 1 which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, except as provided by law; and

WHEREAS, the Town Board does not anticipate the need for the issuance of bonds, notes or other obligations of the Town for the creation of Extension No. 1 or the Project; and

WHEREAS, the Town Board may establish water rents as provided in paragraph (d) of subdivision three of Town Law Section 198; and

WHEREAS, the cost of the establishment of the Extension No. 1 per EDU in the Extension No. 1 is approximately \$21; and

WHEREAS, the annual amount that a typical property pays for water usage is approximately \$210; and

WHEREAS, the expected average annual cost to the Typical Property (as defined by Town Law) in the proposed Extension No. 1 during the first year will be approximately \$231 (such amount includes costs associated with the establishment of Extension No. 1 and estimated annual water usage costs); and

WHEREAS, pursuant to the Order duly adopted on June 26, 2019, the Town Board determined to proceed with the proposed establishment of Extension No. 1 and adopted an Order reciting a description of the boundaries of the Extension No. 1, the maximum amount proposed to be expended for the construction of water improvements in connection with the establishment of Extension No. 1, the proposed method of financing to be employed, the fact that a map, plan and report describing the same are on file in the Town Clerk's office for public inspection and specifying July 17, 2019, at 6:00 o'clock p.m. (Prevailing Time) or shortly thereafter, as the time when, the Ellicottville Town Hall, located at One West Washington Street, Ellicottville, New York, as the place where, the Town Board would meet to consider the proposed establishment of Extension No. 1 and to hear all persons interested in the subject thereof concerning the same, and for such other action on the part of the Town Board in relation thereto, as may be required by law; and

WHEREAS, the Town Board adopted (on July 17, 2019) a Resolution Creating the Town of Ellicottville Extension No. 1 to the Consolidated Water District No. 1 Subject to Permissive Referendum; and

WHEREAS, following publication and posting of certified copies of said Order pursuant to Article 12-A of the Town Law and after a public hearing duly held by the Town Board at the time and place herein referred to, the Town Board, by resolution on July 17, 2019, determined that:

a) the notice of public hearing was published and posted as required by law and was otherwise sufficient,

b) SEQRA-related matters were addressed;

c) all the property and property owners included within the proposed Extension No. 1 were benefited thereby,

d) all the property and property owners benefited were included within the limits of the proposed Extension No. 1,

e) it was in the public interest to establish Extension No. 1;

f) the establishment of Extension No. 1 would be responsible for approximately 40% (approximately \$16,000) of the total cost of the Project (\$40,000); and

g) the cost of the Project attributable to the residents in the proposed new Extension No. 1 is \$16,000 and unless such estimated maximum cost is to be paid from

other sources or charges (including, but not limited to, water rents), such cost will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the proposed Extension No. 1 which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, except as provided by law; and

WHEREAS, said resolution adopted on July 17, 2019, was subject to permissive referendum and the notice setting forth the date of adoption of said resolution, which concisely stated the purpose and effect thereof, was duly posted and published as required by law, and that no petition requesting a referendum thereon has been filed with the Town Clerk within 30 days after the date of adoption thereof, or at any other time since said adoption; and

WHEREAS, permission of the State Comptroller is not required with respect to the establishment of Extension No. 1 because the estimated cost of Extension No. 1 to the Typical Property (as defined by Town Law) is not above the Average Estimated Cost to the Typical Properties for the establishment of similar types of extensions, as computed by the State Comptroller, and the Town has filed a certified copy of the Order with the State Comptroller as required by Town Law;

NOW, THEREFORE, BE IT

ORDERED, that the establishment of Extension No. 1 is hereby approved, in the Town of Ellicottville, to be known as Town of Ellicottville Extension No. 1 to the Consolidated Water District No. 1; and be it further

ORDERED, that the Town of Ellicottville Extension No. 1 to the Consolidated Water District No. 1 in the Town of Ellicottville herein above referred to shall be established as set forth in the said Order Calling the Public Hearing (dated June 26, 2019) and the resolution (adopted on July 17, 2019), at an estimated maximum cost of \$40,000; and the cost of the Project attributable to the residents in Extension No. 1 is \$16,000 and unless such estimated maximum cost is to be paid from other sources or charges (including, but not limited to, water rents), such cost will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within Extension No. 1 which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, except as provided by law; and be it further

ORDERED, that within ten days after adoption of this Order, the Town Clerk shall record with the Clerk of the County of Cattaraugus and file with the Department of Audit and Control in Albany, New York copies of this Order, certified by the Town Clerk.

The question of the adoption of the foregoing order was duly put to vote on a roll call, which resulted as follows:

AYES (4): Matthew McAndrew Town Supervisor
 Steven Crowley Councilman
 Kenneth Hinman Councilman
 John Zervas Councilman

NOES (0):

ABSENT: Greg Fitzpatrick Councilman

The foregoing order was thereupon declared duly adopted.

- Resolution and Order - Increase and Improvement

The following resolution and order was offered by Kenneth Hinman and seconded by John Zervas:

**RESOLUTION AND ORDER
AFTER PUBLIC HEARING APPROVING
THE INCREASE AND IMPROVEMENT OF
FACILITIES OF THE CONSOLIDATED WATER DISTRICT NO. 1**

WHEREAS, the Town Board of the Town of Ellicottville (herein called “Town Board” and “Town”, respectively), in the County of Cattaraugus, New York, has, pursuant to Town Law, created the Town of Ellicottville Consolidated Water District No. 1 (the “CWD”); and

WHEREAS, the Town Board has directed MDA Consulting Engineers, PLLC, competent engineers licensed in New York, to prepare a map, plan and report for a project involving the CWD; and

WHEREAS, such project will generally consist of the preparation of a map, plan and report for the purpose of establishing a water district Extension No. 1 to the Consolidated Water District No. 1 in order to maximize efficiency and streamline the administration and management of the water treatment and distribution system with the Ellicottville (Town and Village) water systems, as more fully identified in (or contemplated by) such map, plan and report referred to above, including all related ancillary work, preliminary costs and costs incidental thereto (collectively referred to herein as the “Project”); and

WHEREAS, the total maximum amount proposed to be expended for the Project is estimated to be \$40,000; and

WHEREAS, in light of the overall benefit the Project will have to the existing CWD and proposed Extension No. 1 users, the Town Board has determined to

allocate approximately 40% (approximately \$16,000) of the cost of the Project to residents in the proposed Extension No. 1 through a separate Town proceeding and unless paid for from other charges, intends to levy special assessments against the properties in the proposed Extension No. 1 as determined by law; and

WHEREAS, the CWD discussed herein will only be responsible for approximately 60% (approximately \$24,000) of the total cost of the Project; and

WHEREAS, the Town Board does not anticipate the need for the issuance of bonds, notes or other obligations of the Town for the Project; and

WHEREAS, the Town has complied with applicable federal, state and local laws and regulations regarding environmental matters, including compliance with the New York State Environmental Quality Review Act ("SEQRA"), comprising Article 8 of the Environmental Conservation Law and, in connection therewith, duly issued a negative declaration and/or other applicable documentation, and therefore, no further action under SEQRA is necessary; and

WHEREAS, the Town Board issued an Order at its June 26, 2019 meeting calling for a public hearing to be held at the Town Hall, Ellicottville, New York, on July 17, 2019 at 6:00 o'clock p.m.(prevailing time) or shortly thereafter to consider said increase and improvement of facilities of the CWD and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law, and further ordered the Town Clerk to publish at least once in a newspaper designated as an official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing; and

WHEREAS, said notices of the public hearing were properly published and posted and the public hearing duly held at the time and place stated in the notices.

NOW, THEREFORE, BE IT RESOLVED AND DETERMINED BY THE TOWN BOARD OF THE TOWN OF ELLICOTTVILLE, based on the information provided at the public hearing, as follows:

DETERMINED, that it is in the public interest to increase and improve the facilities of the CWD as hereinabove described and referred to and the estimated total cost of the Project is \$40,000; however, the portion of the Project that the CWD will be responsible to pay is \$24,000; and it is hereby

DETERMINED, that the parcels and lots of the CWD shall be benefited by said increase and improvement of the facilities of the CWD; and it is hereby

DETERMINED, that all parcels and lots benefited by said increase and improvement of the facilities are included in the CWD; and it is hereby

ORDERED, that the facilities of the CWD shall be so increased and improved and that the Engineer shall prepare plans and specifications and make a careful estimate of the expense for said increase and improvement of the facilities, and with the assistance of the Town Attorney, prepare a proposed contract for the execution of the work, which plans and specifications, estimate and proposed contract shall be presented to the Town Board as soon as possible; and it is hereby

FURTHER ORDERED, the cost of the Project attributable to the residents in the CWD is \$24,000 and unless such estimated maximum cost is to be paid from other sources or charges, such expense of said increase and improvement of the facilities will be paid by the assessment, levy and collection of special assessments from the several lots and parcels of land within the CWD which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of the benefit conferred upon the same, except as provided by law; and it is hereby

FURTHER ORDERED, that within ten days after adoption of this Resolution and Order, the Town Clerk will record with the Clerk of the County of Cattaraugus copy of this Resolution and Order, certified by said Town Clerk.

The question of the adoption of the foregoing order was duly put to vote on a roll call, which resulted as follows:

AYES (4):	Matthew McAndrew	Town Supervisor
	Steven Crowley	Councilman
	Kenneth Hinman	Councilman
	John Zervas	Councilman

NOES (0):

ABSENT:	Greg Fitzpatrick	Councilman
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The foregoing resolution and order was thereupon declared duly adopted.

- Public Hearing/Special Meeting - Bond Resolution

The following was offered by John Zervas and seconded by Kenneth Hinman:

In the Matter

of the

Increase and Improvement of Facilities of the
Town of Ellicottville Consolidated Water District No. 1
in the Town of Ellicottville, County of Cattaraugus, New York,
pursuant to Section 202-b of the Town Law.

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**ORDER CALLING PUBLIC
HEARING TO BE HELD ON
SEPTEMBER 6, 2019**

WHEREAS, the Town Board of the Town of Ellicottville (herein called “Town Board” and “Town”, respectively), in the County of Cattaraugus, New York, has, pursuant to Town Law, created the Town of Ellicottville Consolidated Water District No. 1 (the “District”); and

WHEREAS, the Town Board has directed the Town of Ellicottville Engineering Department, competent engineers licensed in New York, to prepare a map, plan and report for a water system capital improvements project (commonly known as “Phase 2”) within the District (as extended); and

WHEREAS, such water system capital improvements project will generally consist of (but not be limited to), the installation of approximately 17,000 linear feet of water main along various roads in the District (as extended), electrical and HVAC improvements to source wells and booster stations including, but not limited to, structural repairs to roofs and foundation improvements, installation of web-based control systems and associated equipment and the installation of storage tanks, as well as other such improvements as more fully identified in (or contemplated by) such map, plan and report referred to above, all of the foregoing to include all necessary site work, equipment, apparatus and other improvements and costs incidental thereto and in connection with the financing thereof (collectively, the “District Improvement”); and

WHEREAS, pursuant to the direction of the Town, the Engineer has completed and filed with the Town Board such preliminary map, plan and report for such increase and improvement of facilities of the District and has estimated the total cost thereof to be an estimated maximum amount of \$5,277,096; said cost to be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$5,277,096 offset by any federal, state, county and/or local funds received.

NOW, THEREFORE, BE IT

ORDERED that a meeting of the Town Board of the Town of Ellicottville will be held at the Town Hall, One West Washington Street, Ellicottville, New York, on September 6, 2019 at 4:00 p.m. o'clock p.m. (prevailing Time) or shortly thereafter to consider said increase and improvement of facilities of the District and to hear all persons interested in the subject thereof concerning the same and for such other action on the part of the Town Board with relation thereto as may be required by law; and be it

FURTHER ORDERED, that the expense of said increase and improvement of the facilities shall be financed by the issuance of serial bonds of the Town in an aggregate principal amount not to exceed \$5,277,096 said amount to be offset by any federal, state, county and/or local funds received, and, unless paid from other sources or charges (including, but not limited to, water rents), the costs of said increase and improvement of facilities shall be paid

by the assessment, levy and collection of special assessments from the several lots and parcels of land within the District, which the Town Board shall determine and specify to be especially benefited thereby, so much upon and from each as shall be in just proportion to the amount of benefit conferred upon the same, to pay the principal of and interest on said bonds as the same shall become due and payable, except as provided by law; and be it

FURTHER ORDERED, that the Town Clerk publish at least once in each newspaper designated as the official newspaper of the Town for such publication, and post on the sign board of the Town maintained pursuant to subdivision 6 of Section 30 of the Town Law, a copy of this Order, certified by said Town Clerk, the first publication thereof and said posting to be not less than ten nor more than 20 days before the date of such public hearing.

The question of the adoption of the foregoing order was duly put to vote on a roll call, which resulted as follows:

AYES (4):	Matthew McAndrew	Town Supervisor
	Steven Crowley	Councilman
	Kenneth Hinman	Councilman
	John Zervas	Councilman

NOES (0):

ABSENT:	Greg Fitzpatrick	Councilman
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The Order Calling for Public Hearing was declared adopted.

- Brandon Moore - Part-time Position

Brandon Moore has finished his full-time internship but Mr. Pierson would like to keep him on as a part-time employee until the end of the year at 20 hours/week at \$15.00/hr. He will continue to do energy tracking, grant management, small design work, work with Dude Solutions and CAD.

On **motion** by Mr. Crowley second by Mr. Hinman the following resolution was Accepted

Ayes 4 - McAndrew, Hinman, Zervas and Crowley
Nays 0

Resolved that the Town hire Brandon Moore at \$15.00/hour, 20 hours/week through the end of the year.

- STW Mobile Friendly Website

Southern Tier West is offering an upgrade to our website that would be mobile friendly (Weebly). Right now, certain things cannot be accessed on mobile devices. The additional cost would be \$144.00/year which would be split with the Village.

On **motion** by Mr. Hinman second by Mr. Crowley the following resolution was Accepted

Ayes 4 - McAndrew, Hinman, Zerfas and Crowley
Nays 0

Resolved that the Town's website done through Weebly at an additional cost of \$72.00/year to make the site mobile friendly. The Clerk is authorized to contact STW for the change.

Old Business

- 28 Parkside

Attorney Moriarty has sent James Jackson the proposed agreement and is contacting Freeman and Freeman to stake the West boundary line.

- EVGV Trail

The Trail was a BC/BS grant finalist but did not get it. They will try again next year.

- Bryant Hill Cemetery Drainage

The Board asked Mr. Pierson to come up with a plan to protect the cemetery and come up with a cost estimate so it can be added to next year's budget.

- Bicentennial

Mr. Crowley reported that the parade has been scheduled for the 3rd Saturday in July. There will be a Civil War Encampment set up on Sunday. The Bicentennial Committee is applying for a grant and have asked for the Town's Grant Writer's help. The Board agreed this would be fine. Other plans were discussed.

- Town Hall Window and Door Replacement

The \$250,000 SAM Grant is going through financial review but the Town's chances of receiving the grant look good.

- **Adjournment**

Motion by Mr. Hinman and second by Mr. Crowley to adjourn the meeting at 7:00pm. 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 21th day of August, 2019, approved by said Board on the 18th day of September, 2019.

Robyn A. George, Town Clerk