

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE FEBRUARY 20, 2019 at 6:00 pm
ELLICOTTVILLE TOWN HALL

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

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 - January 16, 2019

On motion by Mr. Hinman and second by Mr. Fitzpatrick the minutes of the January 16, 2019 Board meeting were

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

Audit of Claims

- Pay Town bills on Distribution Report #02-19

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

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

Resolved that the Town bills be paid on General Ledger Distribution Report 02-19 as follows:

001 - General Fund A:	\$33,794.02		
002 - General Fund B:	\$ 4,365.12		
		General Fund Total:	\$ 38,159.14

004 - Highway DB \$49,274.35

Highway Fund Total: \$ 49,274.35

006 - Water Fund Total \$ 10,075.61

Grand Total: \$ 97,509.10

Supervisor's Reports

- Supervisor's Report

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

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

- Supervisor's Meeting - Shared Services

The County Administrator, Jack Searles, presented the Shared Services plan which quantifies the services and documents the savings to the municipalities and county. The county has a software program that calculates the savings. This year, the State has a grant that will return 1/2 of the savings to the local government agencies. Although the process must be completed each year, the reimbursement through a grant is only for the first year. The next step is to have the Towns review the plan and return it to the county who will have a panel do a final review. After which, a vote will be held to approve it. The vote must pass with a majority from all of the Town Supervisors, Village/City Mayors and County Administrator.

Present Written Department Reports for Approval

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

On motion by Mr. Zervas and second by Mr. Crowley the Clerk's Report, Justice Report, Building Inspectors Report, Planners and the Police Report were:

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

Department Heads.

Don Auge - Police Department

OIC Auge reported that new radios and repeaters have been installed in all police vehicles. The cost is about \$12,000/vehicle. It was paid for by a grant the county received.

He also noted that Officer Graham was instrumental in a case involving about a 1/2 oz. of crack cocaine. She assisted a State Trooper on the bust.

Niles Pierson - Engineering Department

- Monthly Report
 - Excavator Training - March 14th
 - Updated zoning maps and Town comprehensive plan map have been created.
 - Dude Solutions contracts signed.
- Highway Barn Electrical Bids

The following bids were received for updating the Highway Barn's electrical system:

Gerwitz & McNeil	-	\$35,236.00
Electrical Services Systems Installation	-	\$25,135.00

The scope of the work involves replacing bulbs with LED bulbs and installing a 14' fan in the ceiling for much needed air circulation. ESSI would install ballast bypasses of all lights for an additional \$300.00. Mr. Pierson will double check this amount. Although this project will reduce the load on the conduits, more needs to be done.

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

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

Resolved that the Town accept the low bid of \$25,135.00 from Electrical Services Systems Installation and authorizes Mr. Pierson to add the additional expense of installing ballast bypass for all lights.

The issue of updating the conduits will be addressed separately.

- Jed Lane/Sommerville Valley Culvert

Fabrication for the culvert is currently out for bid. Environmental permits have been applied for through the Soil and Water Conservation. The creek location is protected, therefore, work cannot start until after June 1st.

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

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

Resolved that the Town has determined that the Sommerville Valley Road Culvert Replacement project will not result in any significant adverse environmental impacts and a Short Environmental Assessment Form will be submitted.

- NYS DOT Update Curb Ramps

NYS DOT will be reconstructing multiple curb ramps throughout the Town. The work will affect two of the Town's water valve boxes at Aspen and Donlen Drive. The state will take responsibility for adjusting the height of the valve boxes during construction. This will be done at no cost to the Town.

**Resolution Granting the State of New York to perform the Adjustment for
the Owner and Agreeing to Maintain Facilities Adjusted Via State-Let
Contract**

RESOLUTION

WHEREAS, the New York State Department of Transportation proposes the construction, reconstruction, or improvement of "Update Existing Curb Ramps to Comply with ADA Accessibility Requirements and Signal Upgrades" in the Town of Ellicottville located in Cattaraugus County, PIN 5814.34, D263948, and

WHEREAS, the State will include as part of the construction, reconstruction, or improvement of the above-mentioned project the adjustment of water valve box locations pursuant to Section 10, Subdivision 24, of the State Highway Law, as shown on the contract plans relating to the project and meeting the requirements of the owner, and

WHEREAS, the service life of the relocated and/or replaced utilities has not been extended, and

WHEREAS, the State will provide for the reconstruction of the above-mentioned work, as shown on the contract plans relating to the above-mentioned project

NOW THEREFORE, BE IT RESOLVED: That the Town of Ellicottville approves of the work to be done and the above-mentioned work performed on the project and shown on the contract plans relating to the project and that the Town of Ellicottville will maintain or cause to be maintained the adjusted facilities performed as above stated and as shown on the contract plans

BE IT FURTHER RESOLVED: That Matthew McAndrew has the authority to sign, with the concurrence of the board, any and all documentation that may become necessary as a result of this project as it relates to the Town of Ellicottville, and

BE IT FURTHER RESOLVED: That the Clerk of the Town of Ellicottville is hereby directed to transmit (5) certified copies of the foregoing resolution to the New York State Department of Transportation.

Moved by:	Steven Crowley	
Seconded by:	John Zervas	
Vote:	Mathew McAndrew, Supervisor	Aye
	Steven Crowley, Councilman	Aye
	Ken Hinman, Councilman	Aye
	Greg Fitzpatrick, Councilman	Aye
	John Zervas, Councilman	Aye

- Final Code Rule 59 meeting was held with NYSIF on Friday February 1st. All safety issues have been corrected and the Town is in full compliance.

- Sexual Harassment Training

Supervisor McAndrew pointed out that sexual harassment training needs to be done by October. He has asked Mr. Pierson to be trained to conduct the training.

- Joint Water District Meeting

Representatives from the Town and Village along with Jeff Smith and Mark Alianello will be meeting on the 21st to discuss the merger of the Water District.

Mr. Pierson commended his intern, Brandon Moore, for completing the EPA Water Model mapping water and sewer lines and water pressure.

He also has been looking into buying a mini-excavator for the Town water department. Discussion followed. He will continue to research the options.

Tom Scharf - Highway Department

- Agreement to Spend Highway Funds

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

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

Resolved that the Town Board authorize the 2018 Agreement to Spend Highway Funds as presented.

New Business

- Kelly Bigos Resignation as DCO

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

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

Resolved to accept the resignation of Kelly Bigos as Dog Control Officer effective February 11, 2019.

- 28 Parkside, Legal Description Revision

There has been a problem with a section of the property on Parkside Drive (Town Center). Attorney Moriarty has requested that the Town have the land surveyed so a correction to the deed can be made.

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

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

Resolved that the Town survey the land in question at 28 Parkside Drive.

- Bicentennial Planning Meeting

A Committee met to begin planning for the Town's bicentennial events. The anniversary is April 20, 2020. Mr. Crowley reviewed some of their ideas for the year long event. They are proposing to kickoff the celebration on Mardi Gras weekend hoping to have a float in the parade. A ceremony and proclamation will be held with Town and Village leaders. Senator Young and Representative Giglio will be invited to join the ceremonies and/or parades. Many other ideas are being considered. The committee would like to install signs on both ends of Town. Mr. Zervas will talk to the Town Planner to see if there will be any issues in doing so.

Old Business

- EVGV Trail

Insurance issues are being worked on. A representative from the Ralph Wilson Foundation will be meeting with the EVGV committee to discuss the grants they offer.

- Co-op Rent

The Cooperative Extension has been notified that according to Mr. Pierson's rental study the going rate for them to rent their current space at this time would be \$4,100.00.

- Northgate Village Drive

Attorney Moriarty is still researching the dedication of Northgate Village as a Town Road.

Correspondence

- Ally Katz - thanked the Town for their donation to beautify the Town.

Executive Session

Motion by Mr. Hinman and seconded by Mr. Zervas to enter into executive session at 7:35pm. All Ayes. Carried.

Motion by Mr. Hinman and 2nd by Mr. Fitzpatrick to resume regular session at 7:55pm. All Ayes. Carried.

Adjournment

Motion by Mr. Fitzpatrick and second by Mr. Crowley to adjourn the meeting at 7:56pm. 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 February, 2019, approved by said Board on the 20th day of March, 2019.

Robyn A. George, Town Clerk