

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE SEPTEMBER 19, 2018 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
	Kathleen Moriarty	Attorney for Town
	Robyn George	Town Clerk
	Niles Pierson	Town Engineer
	Tom Scharf	Highway Superintendent

Also Present: John Thomas, Press

Call meeting to order:

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

Approve Minutes

- Town Board Meeting - August 15, 2018
- Special Meeting - September 4, 2018
- Budget Workshop - September 12, 2018

On motion by Mr. Crowley and second by Mr. Zervas the minutes of the August 15, September 4 and September 12, 2018 Board meetings were

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

Audit of Claims

- Pay Town bills on Distribution Report #09-18

On motion by Mr. Hinman and second by Mr. Fitzpatrick 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 09-18 as follows:

001 - General Fund A:	\$118,728.45		
002 - General Fund B:	\$ 4,124.90		
		General Fund Total:	\$122,853.35
003 - Highway DA	\$ 61,254.41		
004 - Highway DB	\$188,850.52		
		Highway Fund Total:	\$250,104.93
		006 - Water Fund Total	<u>\$ 4,452.36</u>
		Grand Total:	<u>\$377,410.64</u>

Supervisor's Reports

- Supervisor's Report

On motion by Mr. Fitzpatrick and second by Mr. Zerfas the Supervisor's August 2018 Financial Report was

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

- Supervisor's Meeting - Land Bank Presentation

Handling of vacant/bank owned properties can be difficult. The Cattaraugus County Land Bank Corporation (CCLBC) is working with Towns and Villages to find solutions for the problem. So far, they have demolished 3 or 4 houses and rehabilitated a couple more.

- Four Corners Meeting

The consensus of the Four Corners Committee is to recommend that the 4 corners area have as much green space as possible.

- ZBA

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

Ayes 5 - McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Resolved that the Board appoint Harry Weissman to the ZBA, term ending 12/31/19.

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

Ayes 5 - McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Resolved that the Board appoint Cindy Dayton as the Chair of the ZBA.

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

Ayes 5 - McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Resolved that the Board re-appoint Kathy McGoldrick to the ZBA, term ending 12/31/22.

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, Planners and the Police Report were:

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

Department Heads.

Don Auge - Police Department - Absent

Niles Pierson - Engineering Department

- Monthly Report
 - The DPW renovation is 99% complete. The new IT server will be installed when construction is complete.
 - Two reinforced concrete pipe culverts were installed on Poverty Hill and Witch Hollow.
 - Energy Report was provided to the Board.
- Equipment Replacement Plan

Engineer Pierson and Highway Superintendent Scharf put together a 10 year plan for the replacement of equipment. Over time, they are proposing phasing out seasonal vehicles in favor of all season vehicles.

- EFC Grant Funding

The Town has applied for a EFC Grant with a total estimated construction cost of \$1,171,620 to address the issues brought up in the DOH sanitary survey, backup generator power and upper tank replacement. The Town's share of the cost would be approximately \$440,000. Mr. Pierson calculated that based the Town obtaining a 20 year bond to pay for the project, the cost would be about 8.5 cents per 1,000 assessment for properties in the water district.

- Road Bonds - Logging

The Highway Department has been questioned about their authority to require road bonds for logging operations. NYS Town Highway Law gives the Highway Superintendent authority to require such bonds.

Tom Scharf - Highway Department

Mr. Scharf reported that D & H did a good job on the culverts. The Department has been doing patch work on Simmons Road and will be working on Whitmer and Rogers Road.

New Business

- Pierson Retirement Resolution

NYSLRS returned the previous resolution because a designated term was not specified. They wrote that "if the official does not have a designated term, the term for the official who appointed them to the position should be used." A new resolution was presented using the Supervisor's term of office end date.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Be it resolved that the Town of Ellicottville hereby establishes the standard work day for the Town Engineer, Niles Pierson, at 8 hours per day and according to the results of the record of activities report 27.58 days per month to the NYS Retirement System.

- Tentative Budget to Clerk

The Clerk will present the 2019 tentative budget to the Board on October 4th at a Special Town Board meeting.

- Code Enforcement Position

The Code Enforcement Officer is requesting that he become a Town Employee as he is able to satisfy the residency requirement for the Town. The matter will go to the Village Board and a new IMA will need to be drawn up. The Supervisor is recommending that the Town approve the request and take it into consideration for the 2019 budget.

- Evans Agency Policy Renewal

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Resolved that the Town accept the October 1, 2018 renewal of the Municipal Insurance Program supplied by the Evans Agency in the amount of \$55,525.92 as presented.

- Steelbound Temporary Permit

The Town of Ellicottville has been notified that Stillhouse of Buffalo, LLC, doing business as Steelbound Brewery and Distillery, DBA has applied for a Beer, Wine, Cider (Temporary) Permit to operate a Beer Tent on October 5th and 6th, 2018 on their premises at 6600 Rte. 219 in Ellicottville, NY. It will be serving from 12pm to 2am on both days. They are requesting the Town to approve such a permit.

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

Ayes 5 -McAndrew, Hinman, Fitzpatrick, Zerfas and Crowley
Nays 0

Resolved that the Town of Ellicottville has no objections to the State Liquor Authority granting Steelbound a temporary beer/wine cider permit for those dates and times.

Old Business

- EVGV Trail

The Trail Committee has realigned the trail to satisfy one the property owners who had not signed an easement. The owners are expected to sign now.

- NYSERDA Grant

The Town should be receiving \$12,500 of the grant money next week. Mr. Pierson will be working on the design of updating the lighting at the Town Center.

- Jefferson Street Cemetery

Supervisor McAndrew plans to meet with Crandall Memorial by the end of the month to get an estimate of the cost of repairing the headstones.

Correspondence

- Relay for Life Thank You

Adjournment

Motion by Mr. Hinman and second by Mr. Zerfas to adjourn the meeting at 6:42pm. 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 19th day of September, 2018, approved by said Board on the 17th day of October, 2018.

Robyn A. George, Town Clerk