

**Village of Ellicottville Regular Meeting
And Public Hearing via Phone on October 20th, 2020**

Attended:	John Burrell	Mayor
	Greg Cappelli	Trustee
	Doug Bush	Trustee
	Mary Klahn	Clerk
	Richard Stanton	Attorney
	Ed Imhoff	Trustee
	Sean Lowes	Trustee
	Ben Slotman	Engineer

Also attended: Dan Rifkin, Lynda Neuwirth, Caitlin Croft, John Thomas, Connor Kell and Mark Chudy

Call meeting to order

Good News - Chips money	\$16,572.16
WIRP	2,796.42
PaveNY	3,782.76

Totaling \$23,151.34 (Budget \$28,945.00)

Public Hearing

Local Law No.3 of the Year 2020

This local law is a proposed update to the current Noise Ordinance Local Law. The major changes are as follows; the classification for noise level is now “humanly audible” where it used to be a decibel threshold; the addition of language

regarding fireworks and time constraints on when they can be discharged; the weekend noise ordinance time, which would now be 10:00pm instead of the previous 11:00pm on Friday and Saturdays; and clearer language on fines have been added.

Lynda Neuwirth spoke in favor of the new Local Law along with Dan Rifkin. There were two emails received by the Village that inquired about extending the noise ordinance time in the commercial district to 11:00pm in addition to language being added if in the event of a power outage generator noise does not apply. There were also questions brought up by Neuwirth regarding the fines and who was held responsible. The Village attorney advised the Board should consider adding language for both the property owner and/or persons involved.

Business from the floor

Approve minutes

Motion: by Mr. Bush to approve the September 2020 minutes.

Second: by Mr. Lowes All ayes. Carried

Organizational Meeting Minutes

Motion: by Mr. Cappelli to accept the Organizational Minutes.

Second: by Mr. Bush All ayes. Carried

September Financial Report and Audit of Claims

Motion: by Mr. Imhoff to accept the Financial Report.

Second: by Mr. Lowes All ayes. Carried

Audit of Claims

General Fund **\$40,277.99**

Sewer Fund **\$23,903.51**

Motion: to pay the bills by Mr. Cappelli

Second: by Mr. Imhoff All ayes. Carried

Mayor's Report

Mayor Burrell stated that the October 17, Roswell Park Employee and Volunteer Appreciation Day went well.

Covid –John Burrell, Greg Cappelli, Ben Slotman and Mark Chudy will meet to discuss protocol and processes that were learned in a NYCOM teleconference about COVID-19 and the ongoing matter.

New Truck – Much discussion on the purchase of a new truck for the DPW. The Board was presented with two truck options and they elected to go with the slightly more expensive truck. Sean Lowes asked why this truck was necessary with extra features like a crew cab, Ben Slotman and Ed Imhoff agreed that this truck would have a better resale value down the road and also the cab would provide more room to keep equipment safe and dry especially in the winter months.

Motion: to purchase a 2020 truck from Fredonia Chrysler by Mr. Cappelli.

Second: by Mr. Lowes All ayes. Carried

Department and Committee Reports for Approval

Planning Report

Motion: by Mr. Cappelli to accept the Planning Report.

Second: by Mr. Bush All ayes. Carried

Code Enforcement Report

Motion: by Mr. Cappelli to accept the report.

Second: by Mr. Imhoff All ayes. Carried

Sept DPW Report

Motion: by Mr. Cappelli to accept the report.

Second: by Mr. Lowes All ayes. Carried

Engineer Update

DEC SPEDES Inspection – We had a letter with the results of a good inspection for the wastewater treatment facility.

Town of Concord Discussion – We are looking into possibility doing shared service agreement with their sewer treatment facility.

Motion: to pursue with the process by Mr. Cappelli and keep it confidential.

Second: by Mr. Lowes All ayes. Carried

Ben Slotman and Zach Golley would like to go to sewer school. The schooling classes will be spread out within the year. Estimated cost is \$2200 each and room and board. Cost of approximately \$7,000.00.

Motion: to send the above to sewer school by Mr. Cappelli.

Second: by Mr. Bush All ayes. Carried

Sydney Saunders Letter – Ms. Saunders described how during heavy rains; Elk Creek rises nearly to the bridge on Elizabeth Street. She stated that the creek should be dug and the debris removed, where it passes under the bridge. Mr. Bush confirmed that some gravel had been removed recently.

Adam Delity who is located on Mill Street Extension his property gets flooded from property to the east, on the hill. We would need to clean out an existing drainage ditch. Ben Slotman added he has not had time to look at it. Concern is spending money on a private property added Mr. Stanton. He will get on Google earth and get together and discuss.

Parks – Sean Lowes

Dog park ash trees have come to his attention. Limbs near the ball park roof.

Beautification – Sean Lowes

He is researching a few simple things that could be done to make the Village more beautiful.

Sidewalks – Sean Lowes

Special Events – Doug Bush

EVL Half Marathon and 5K – This weekend to ensure COVID friendly. 8 till 4

Letter from Catt-Little Valley on a walk for November 11th for the Veterans.

Refuse – Greg Cappelli

Parking

Streets – Doug Bush

Water – Ed Imhoff

Sewer – Ed Imhoff

Equipment – Ed Imhoff

Village Clerk

Motion: to grant the request for Account #1208 the Old Gin Mill to pay Commercial One for 2 Quarters and then Commercial 2 for the 3rd quarter by Mr. Bush

Second: by Mr. Imhoff All ayes. Carried

Old Business

Motion: to close the public hearing Local Law No.3 of the Year 2020 by Mr. Cappelli.

Second: by Mr. Bush All ayes. Carried

Amendments to the law- The decision for Local Law #3 on the Noise Ordinance was tabled to make changes to the following, adding the property owner to be held liable if they are not the direct cause of the noise, expanding the time to

11:00pm on weekends for commercial property and language regarding the generator rules. There will be a Special Meeting on October 29th at 5:00pm via Zoom.

Short term rentals

New Business

Halloween – Trick or Treat – Not having Halloween is recommended from the board. We should not condone it but if anyone chooses to participate the hours are from 6 till 8 on October 31st. Everyone needs to follow the Health Department COVID rules and regulations.

Motion: by Mr. Cappelli to go into executive session to discuss the new shared services agreement with the Town.

Second: by Mr. Bush All ayes. Carried

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

Second: by Mr. Bush All ayes. Carried

Motion: by Mr. Cappelli to adjourn

Second: by Mr. Lowes All ayes. Carried