

**Regular meeting of the Village Board & Public Hearings  
May 14, 2018**

<b>Attended:</b>	<b>John Burrell</b>	<b>Mayor</b>
	<b>Greg Cappelli</b>	<b>Trustee</b>
	<b>Joe DiPasquale</b>	<b>Trustee</b>
	<b>Patra Lowes</b>	<b>Trustee</b>
	<b>Spencer Murray</b>	<b>Trustee</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Kelly Fredreickson</b>	<b>Code Enforcement Officer</b>
	<b>Gary Palumbo</b>	<b>Planner</b>
	<b>Niles Pierson</b>	<b>Engineer</b>
	<b>Kathleen Moriarty</b>	<b>Attorney</b>
	<b>Mary Klahn</b>	<b>Clerk</b>

**Also attended:** Anne Northrup, John Northrup, Edna Northrup, Terry Fuller, John Zervas, Kaitlan Croft, Steve Crowley, Becky Mergenhagen and Kerry Steele.

**Call meeting to order**

**Pledge to the flag**

**Good News**

Extreme Winter Recovery (NYSDOT) Aid  
Teitsworth Auctions – \$3,988.00 in additional revenue for old equipment.  
Ellicottville-Great Valley Recreational Trail received 501©(3) tax status.  
Water front revitalization – The State Assembly passed Bill #A08355 designating the Great Valley Creek and its tributaries as inland waterways for the purposes of Waterfront Revitalization. Mayor Burrell stated that this should be referred to the Village grant writer for further information.

**Business from the floor**

**Motion:** to move Business from the Floor by Mr. Murray.  
**Second:** by Ms. Lowes All ayes. Carried

First to speak was Anne Northrup, trustee Greg Cappelli and Code Enforcement Officer, Kelly Fredrickson. Anne presented a draft of the proposed Short Term Rental Local Law. There was discussion regarding who the local emergency contact would be along with over occupancy. This will include regulations such as applying for a license and having your license number published in any marketing of the property, notifying all property owners within a 200 yard radius of the permit. There are still details being worked out and there was emphasis that this would be self policed upfront and this is how Vail, CO. initially implemented their Short Term Rental Local Law. The first draft will now be sent to Kathleen Moriarty for further review and edits.

Terry Fuller the Work base Learning Coordinator for the Board of Cooperative Educational Services (BOCES). Fuller highlighted the different internship programs that are offered and the process involved. An intern could work 1-3 days per week, morning or afternoon. There are 17 different programs ranging from Heavy Machinery Operations to Natural Resource. Students are chosen based on different qualities such as attendance, grades and enthusiasm. After meeting to find out the needs of an intern, Fuller will choose candidates for the Village to interview. Mayor Burrell suggested Mr. Fuller to meet with Niles Pierson and Mark Chudy to discuss our needs.

Ed Carey of Good Energy presented a Power Aggregate Program for Municipalities and Residences. They recently paired with the New York Conference of Mayors (NYCOM) and the Association of Towns. This is a no contract source of purchasing power such as Electric and Natural Gas. Westchester County was the pilot County and Dutchess County soon followed. A Local Law is needed in order to present a proposal to the Board. Carey advised he had spoken to many municipalities in Erie County such as Amherst, City of Buffalo and Lackawanna with those three being very interested. Mayor Burrell feels if we can buy power with those larger municipalities it would be a win-win for all. The Board made no decision on passing the Local Law. Mr. Cappelli asked that Niles Pierson investigate as he has experience with bulk purchases of power.

Edna Northrup spoke in regard to our status with Tree City USA. Mayor Burrell stated that we are still active members and Job Lowry has been attending the conference in Albany for the last two years.

### **Approve minutes**

4/9/2018 Regular Meeting Minutes

4/9/2018 Organizational Meeting Minutes

4/11/2018 Special Meeting Minutes

**Motion:** to approve the April 9<sup>th</sup> Regular Meeting Minutes by Mr. DiPasquale.

**Second:** by Ms. Lowes All ayes. Carried

**Motion:** to approve the Organizational Meeting Minutes by Ms. Lowes.

**Second:** by Mr. DiPasquale All ayes. Carried

**Motion:** to approve the April 11<sup>th</sup>, Special Meeting Minutes by Ms. Lowes with changes.

**Second:** by Mr. Murray All ayes. Carried

### **March Financial Report and Audit of Claims**

**General:**       **\$38,357.63**

**Water:**         **\$11,481.29**

**Sewer:**         **\$13,958.62**

**Motion:** by Mr. Cappelli to approve the Financial Report.  
**Second:** by Ms. Lowes All ayes. Carried

**Motion:** to pay the bills with the exception of \$1,927 on voucher #421 by Mr. Cappelli.  
**Second:** by Mr. DiPasquale All ayes. Carried

### **Mayor's Report on Potholes - Attached**

#### **Public Hearing**

Local Law No. 2 of 2018 (Zoning Code Amendments)  
Local Law No. 3 of 2018 (Certificate of Occupancy and Certificate of Zoning Compliance)

#### **Mayor's Report**

4/10 meeting with Randy Glenn – Evans Agency and Stacy Youmens-NYMIR meeting  
4/12 CCMOA meeting in Yorkshire  
4/19 Dave Turner – NYSIF  
4/19 Catt. County DPW, Fillmore Drainage/Mill St. Sidewalk  
4/24 Greer Hill Dr., Niles, Mark, Steve Forrestel and Doug Oak meeting  
5/6 till 5/8 NYCOM  
5/9 STW Houghton  
(10) NYS tax code update (Charitable Gifts Reserve Fund)  
(11) 3/15 Joint Fire District Meeting Minutes  
5/10 CCMOA Meeting Portville/Olean  
DRI Grant Information/meetings – 4/13 Ellicott Development, 4/14 Final Survey meeting, 4/25 Phil Vogt, 4/25 Iskalo Development, 5/3 Holiday Valley, 5/3 The Krog Group.

**Motion:** to close the 1<sup>st</sup> public hearing by Mr. Murray.  
**Second:** by Ms. Lowes All ayes. Carried

**Motion:** to close the 2<sup>nd</sup> public hearing by Ms. Lowes.  
**Second:** by Mr. Cappelli All ayes. Carried

#### **Planning – Gary Palumbo**

**Motion:** to approve the Planning Report by Mr. Murray.  
**Second:** by Ms. Lowes All ayes. Carried

The Short Environmental Assessment Part 1 needed to be conducted on the proposed Zoning Amendments and Part 2 County Referral had been received stating no issue with the Zoning Amendments.

**Motion:** to issue a negative declaration by Mr. Cappelli.

**Second:** by Ms. Lowes All ayes. Carried

Mr. Palumbo will draft a decision letter for the County.

**Motion:** by Mr. Murray to adopt Local Law #2 of 2018 (Zoning Code Amendments)

**Second:** by Ms. Lowes All ayes. Carried

**Motion:** by Mr. Murray to adopt Local law #3 2018 (Certificate of Occupancy and Certificate of Zoning Compliance)

**Second:** by Ms. Lowes All ayes. Carried

#### **DPW – Mark Chudy**

1. Removed brush and debris along curbs.
2. Finished drywall and paint in records room.
3. Removed electrical cords on Washington and Monroe.
4. Located water and sewer for GIS.
5. Cold patch where needed.
6. Repaired sweeper and started on streets and lots.
7. Cleaned and organized cold storage.
8. Sold old ambulance, leaf vac, welder, paint striper, snow blower, and tamper on RTI auctions.
9. Started spring clean up.
10. Put up children at play signs on Elizabeth St.
11. Bryan Clark completed class C Water School (3 days)
12. Cleaned and winterized plows, sanders, etc.

**Motion:** by Mr. Murray to accept the DPW Report.

**Second:** by Mr. Cappelli All ayes. Carried

#### **Engineering – Niles Pierson**

Niles will update the Board for all reports from now on. One bid was \$19,700 from Brad Hurlbert.

**Motion:** to allow Niles to award the bid to lowest responsible bidder for the Monroe Street project by Mr. Cappelli.

**Second:** by Mr. DiPasquale All ayes. Carried

Street sweeper has been broken down and worked on all spring. I would like to hold off on purchasing the trucks for now. The Street Sweeper is \$195,195.66 with a Tier 3 Cummins Engine if we order by June 15<sup>th</sup>.

There was money set aside from the Engineering Grant to hire an assistant engineer. Currently Bob Scharf is assisting Pierson and Pierson has asked that he stay on part time until the end of December.

**Motion:** to table accepting or rejecting on trucks and backhoe by Mr. DiPasquale.

**Second:** by Mr. Murray All ayes. Carried

**Motion:** that we buy the sweeper to piggy back Leroy's bid by Mr. Cappelli.

**Second:** by Mr. DiPasquale All ayes. Carried

**Motion:** to have Niles Pierson figure out the best way to finance the Street Sweeper by Mr. Murray.

**Second:** by Mr. DiPasquale All ayes. Carried

Niles stated that he is working on a Safety program and has reached out to JCC regarding continuing education opportunities. Some of the Village employees will be taking the 10 hour OSHA Approved Construction Safety Class. Mr. Pierson will soon have a quote for the Smart TV/Computer for the Town/Village Hall.

Bryan Clark passed class C water school and is now going to class B.

**Motion:** to accept the Engineers Report by Mr. Murray.

**Second:** by Mr. Cappelli All ayes. Carried

### **Sewer Report**

1. Continuation of Town and Village sewer and water locating for GIS mapping project.
2. Ran a new hose for Effluent sampler.
3. Trying to get quotes for UV channel repair or possibly putting new U.V. bulbs in both channels. Should have a quote by Monday May 7<sup>th</sup>.
4. Called a few WWTPs in other states to see how they liked their Lagoon Masters
5. Keeping all of our daily lab results and weekly test results in new excel file and sending Niles weekly update.
6. Cleaned D.O. sensors in each Lagoon.
7. Unloaded trees for street plantings and Monroe Street project by U.V. building and have been watering them. Holding them there till we can plant them.
8. Cleaned the sewer line on Donlan Drive. Observed during locating that it was running but starting to plug. Running well now.
9. Running aeration Blowers on hand control and switching them manually seems to be working well. Keeping power usage down a little.
10. Spring clean up around plant in progress. We would like to repair and upgrade road to U.V. building. Possibly use millings from DPW.

**Motion:** by Mr. Cappelli to accept the report.

**Second:** by Mr. DiPasquale All ayes. Carried

**Code Enforcement – Kelly Fredrickson  
Attached**

**Motion:** to accept by Mr. Cappelli

**Second:** by Mr. Murray All ayes. Carried

**Parks – Patra Lowes**

**Beautification – Joe DiPasquale**

Flower-Plant watering Hire

**Motion:** to hire Reggie Klahn to water flowers by Mr. Murray.

**Second:** by Ms. Lowes All ayes. Carried

**Sidewalks**

Ms. Lowes asked that we investigate where the catch basins are for sidewalk drainage as with this late spring rain we have had many flooded sidewalks. Niles Pierson will look into it.

**Special Events – Spencer Murray**

5/3/2018 Meeting

Alcohol on Monroe Street during Jazz and Blues Festival – Mr. Murray advised that he would be applying to the State Liquor Authority for a permit to have a roped off section and the ability to sell outside. He said last year we had issues with people standing in the doorway watching the outdoor music and if there was an issue it was not safe to have the doorway blocked. Murray advised that he would rather see the Open Container Law be lifted during the event so that all area restaurants and bars could benefit.

Detour Signs for Oldies Weekend and Fall Festival

Garbage and trash removal for Fall Festival

September 1<sup>st</sup> Music Festival at Village Park

**Motion:** to waive the open container law Saturday and Sunday of the Jazz and Blues Festival from 11:00am till 6:00 by Mayor Burrell

**Second:** by Mr. Murray Mr. Cappelli – Yes, Mr. DiPasquale – Yes, Mr, Ms. Lowes – No.

Mr. Murray also stated that the Detour Signs for Oldies Weekend and Fall Festival assembly should be put on the Chamber.

Lastly regarding the September 1<sup>st</sup> Music Festival at the Village Park, we will soon know the National Act and will have marketing and promotions ready for June 1<sup>st</sup>.

### **Refuse – Patra Lowes**

**Ms. Lowes negotiated a \$190,500 deal with Casella for 3 years of trash removal.**

\$61,800 for first year

\$63,500 for second year

\$65,200 for third year

**Motion:** by Ms. Lowes to accept the three year bid from Casella.

**Second:** by Mr. Cappelli All ayes. Carried

### **Parking**

### **Village Clerk – Mary Klahn**

#### **Old Business**

Short Term Rentals

#### **New Business**

**Ski Tree** – Possibly centering it and doing “up lights” and having a fund raiser for donations.

Insurance Quote - \$25,968 – 2% increase from last year.

Ellicottville Championship Rodeo

Year End Budget Modifications

**Motion:** to accept the Insurance quote from the Evans Agency of \$25,968 by Mr. DiPasquale.

**Second:** by Mr. Murray All ayes. Carried

### **Correspondence**

#### **Budget modifications**

**Motion:** to make the modifications for the budget by Mr. Murray.

**Second:** by Mayor Burrell All ayes. Carried Mr. Cappelli and Mr. DiPasquale abstained.

**Motion:** to approve the request of Rodeo signs by Mr. Murray.

**Second:** by Mr. Cappelli All ayes. Carried

**Motion:** to adjourn by Mr. DiPasquale.

**Second:** by Mr. Cappelli All ayes Carried