

**Audio of a *Regular***  
**Meeting of the Town Council of the Town of Ellicott**  
**held at the Administration Building,**  
**215 S. Work Street, Falconer, N.Y. on**  
**April 28, 2020 at 6:00 P.M.**

All: I pledge allegiance to the flag of the United States of America and to the Republic for which it stands, one Nation under God, indivisible, with liberty and justice for all.

McLaughlin: Call the roll please.

Bellardo: Tyler

Tyler: Here

Bellardo: Bowman

Bowman: Here

Bellardo: Whitmore

Whitmore: Here

Bellardo: Heitzenrater

Heitzenrater: Here

Bellardo: McLaughlin

McLaughlin: Here

**APPROVAL OF MINUTES**

McLaughlin: You all received the minutes from the previous meeting from Amy. If there are no changes, I will accept a motion for approval

Tyler: I make a motion to accept the minutes from 3/16/20.

Bowman: I second

Bellardo: Tyler

Tyler: Aye

Bellardo: Bowman

Bowman: Aye

Bellardo: Whitmore: Aye

Whitmore: Aye

Bellardo: Heitzenrater

Heitzenrater: Aye

Bellardo: McLaughlin

McLaughlin: Aye

**PRIVLEDGE OF THE FLOOR**

McLaughlin: I'd like to remind the public that you are listening in on zoom right now. If you have any questions or concerns, concerning the agenda tonight, you may do so via email, by contacting [ellicott@townofellicott.com](mailto:ellicott@townofellicott.com). And please, again, do them in the form of a question, we will try to respond within a week. If we cannot respond and a legal question is needed, we will contact our town attorney. Again, that is [ellicott@townofellicott.com](mailto:ellicott@townofellicott.com).

## **TOWN OFFICER'S REPORTS**

McLaughlin: I would like to at this time suspend town officer's reports. We will get right on with the agenda if that's okay. all businesses First, we're going to go right to the solid today.

## **OLD BUSINESS**

McLaughlin: Old Business is first and we are going to go right on to the Solitude Herbicide. We have received information from Solitude, moving forward as to what they are going to need. There's going to be a different herbicide this year. I believe it's called Procell. It's less hazardous. As a matter of fact, it can be used in cases of intake drinking. So that's what we're going to go with this year. It's a little bit more cost, however, since we are not using the other two herbicides that cost is offset. We don't know yet what our final costs will be I will have to get back, because that is solely based on the amount of acreage that is approved by the DEC. I will fill you as to when I hear more. Next item on.

Bellardo: Wait

McLaughlin: Oh, yes do we have a comment please.

Bowman: Pat, we are relying on money from foundations to pay for some of this. Is that correct?

Bellardo: Foundation money. Is that what you said?

Bowman: Yeah

McLaughlin: Foundation money is also based on the acreage that is approved. Foundation money isn't just a flat rate and we'll give you this much money. When we get the acreage approved by the DEC, I submit that to the Alliance. The \$13,000 grant that we received. The whatever's left I think now we've already spent 100 so we would have \$14,900 left on that line item on the budget. Total those two, whatever the difference is, that's the money we ask as far as the Alliance through the grants. If that money is not available, then what really happens in the end, whatever funding we have that the acreage we can do. We will not be taking using any reserve fund or anything from the town's money. That's it. Whatever we budgeted is all we're going to spend.

Bowman: Okay.

McLaughlin: So yes, but the final figure can't be figured until we get approval from the DEC.

Bowman: Okay.

McLaughlin: Next item under old business. As you know another business if you know Arktura is the company that is going to be going into the old Accurate building, and we are working currently on a grant application which they received a \$750,000 grant. That money Amy has already set up an account for that. And that money is a flow money they do not get one lump sum. They have to comply with certain specifications on the grant. When they reach a certain specification, they get so much money. So, this has been a long process, I'd like to say Amy she has done a lot of work on that grant. Again, with the current situation right now, things are moving slow, but we are still. I think we received a notification today from the IDA that the grant has been approved. I would like to remind everybody that is a California based company. This will be the first East Coast operation that they have. So, that is kind of an update on Arktura. Any questions?

Tyler: Amy, do you have to follow everything step by step?

Bellardo: Yeah.

Tyler: It is run through the IDA being passed through the Town of Ellicott?

Bellardo: Correct.

McLaughlin: Thank you. Moving forward, the annexation. I received.

Bellardo: Hold on can we go back to the herbicide. I believe Dan has a question he would like to ask.

Heitzenrater: Sure. I sent it. If it's easier for me to read it but I'm basically wondering, are we locked in to the herbicide treatments for this year or other additional approvals at any point in the process, I'm just concerned with the budget, and obviously the COVID-19 impacts that we could have as far as less sales tax and mortgage tax revenues.

Bellardo: You are breaking up quite a bit Dan.

Heitzenrater: Did you get it in the chat Amy, you can just read if that's easier.

Bellardo: Just wondering about the cost of the herbicides and the potential impact of the coronavirus on our budget as far as less revenues and where that stands. If we can even afford to spend the \$15,000

McLaughlin: There are a couple of ways to look at this. Some of us. Some of the Municipal leaders have felt that the lake is going to be one of the, let's call an outlet that people have to enjoy their summer will be on this lake. Now, our, our \$15,000 to be budgeted. I'm going to tell you the only one that budgeted less money than the Town of Ellicott was the Village of Celoron. They have \$7,000. Most every other municipality out there, I know Ellery has \$80,000. Busti, I believe is their figure is, it ranges from 30 to 50. I can't remember exactly what the number is. We have actually have budgeted less money and have more acreage than most of us. So, we are heavily relying heavily on foundation money. Yes, COVID-19, we are all in the same boat. Good question, do we spend the money? I have to believe that moving forward, yes, we do. Yes, it is budgeted. Could the money be spent someplace else, I don't know. It was budgeted that line item we are okay in the budget. This is probably not going to come to fruition until the end of May, so we do have time to take a look at this.

Heitzenrater: Okay, I appreciate that I understand obviously that it was budgeted but obviously we had a lot of revenues budgeted.

Bellardo: You're breaking up we can't hear you.

Heitzenrater: It's not urgent so we can move on.

McLaughlin: Okay, next item is annexation. We received two things from the City of Jamestown. We received notification of petition and we received the petition from the City of Jamestown on the annexation. I have a conference call tomorrow, along with Mayor Jaroszynski and Superintendent Penhollow I have a conference call at two o'clock tomorrow with our legal firm of Harris Beach, and where we will be moving forward on that petition. I will email everyone as to what advise we will receive moving forward from our legal counsel. At this rate this is all I can tell you on the annexation. Again, I will email everyone on what our legal council advises us to do. Any questions?

Tyler: Nope

McLaughlin: Okay. Office update on Pause New York. Amy, if you want to say anything about this, I will fill everybody in. As you all know under Pause New York. Our office is closed to the public. We are all fully aware of the social distancing order, and of the new mask order. Everybody has to be aware that these are not suggestions by the Governor. It is a directive which now becomes law. So, obviously for all elected officials, when you took your oath of office, you agreed to obey the laws of the State of New York and the Constitution. So, I anticipate be the leader, make sure if you were out in public, you're wearing a mask. And please try as hard as you can to let essential businesses know that customers who are coming in through their door, by law, must be masked. Most of them have signs, but they are not enforcing that law as a matter of fact, if anything they're being complicit by allowing people to go through their door without a mask. So, again, as leaders of your community, please make sure that you're showing people how it's to be

done. Wear your mask when you're out. And we'll get through this. As far as the office is concerned, we are closed until further notice or May 15<sup>th</sup> possibly. Moving forward, what we are going to look like after May 15<sup>th</sup> and how we do business remains to be seen. These Zoom meeting may be a thing of the future. Amy, if you have anything else to add feel free.

Bellardo: Nope

McLaughlin: Pat, anything?

Tyler: Nope, I'm good

McLaughlin: Bob anything?

Pickett: No

McLaughlin: How about Dan, Katy or Janet on the Pause NY. No. Okay, assessment update. I'd like to first of all thank Dan for his letter to one of our residents that confirmed what I had already told him. There's no question that the assessment came at an unusual time. We have to remember that the assessment process started last July. It was a long process. Photos were taken of every piece of property in the Town of Ellicott. And that was not a cheap date. So, under the advice of the assessor and of our attorney, Mr. Duncan says we are moving forward with the assessment. It is not unusual and this year was not really any different. A third went up, a third remain the same, and a third went down. It put the assessment on hold so that the people whose assessments have went up, would not have to suffer, basically puts the burden on those that went down, who should be getting a savings who would be paid to same. So, again, we will move forward again on the advice of the assessor and our attorney. So, the assessment basically is done. Letters have gone out and it obviously will affect their tax bill of 2021. Anybody have a question or comment concerning the assessment? No?

### **NEW BUSINESS**

McLaughlin: Okay, new business. Ironically, effective June 28, Kevin Okerlund is retiring as our assessor. He has agreed to stay on during the process of the people who are calling in. And should we move forward with Board of Assessment Review to answer any questions that they may have. So, he has agreed to stay on that long. But, let's not forget, he also was the assessor for the Town of Busti, Town of Poland, City of Jamestown, possibly Lakewood too. I believe and I think there may have been another one. Maybe North Harmony. So, he's retired from them all. We have contracted with the Town of Busti for that assessor. Jesse Robbins the Town Supervisor is doing interviews for a new assessor. He has assured me that before he hires anybody, the rest of the Town Supervisors and municipal leaders that have contracted for that assessor, will received copies of their applications. So, we will be filled in before that person is hired so we can put our two cents in. Like I said, timing was somewhat poor, but unfortunate, that is the way it ended up. So, we move on. Any questions concerning Mr. Okerlund retirement?

Tyler: No, but have we thought about going back to our own assessor?

McLaughlin: Cost wise, it's a little bit prohibitive because once we hire that person, now, the money we paid obviously went into his retirement and all the insurance. Once he comes on board as an individual, health insurance and retirement totally are the cost of the Town of Ellicott. So, I mean it's I think it's worked out this way better. We could look at it, but for us to hire an assessor on our own and pay the assessor what they want to be paid. Add the health insurance and retirement on top of that, I think we are coming up behind.

Tyler: Just a thought

McLaughlin: Yeah. Yeah. So that is all I have under New Business. As you know, you already approved the claims, so that line item on the agenda has been taken care of. Does anybody else have a question or comment?

Tyler: I make a motion we adjourn.

McLaughlin: Wait. I want one last time. I do have to remind any of the public that is watching, if you have a question or comment, please contact the Town at [ellicott@townofellicott.com](mailto:ellicott@townofellicott.com). If you have a question or comment, please do it via email. We will try to respond within a week.

Tyler: I make a motion we adjourn.

McLaughlin: Motion has been made by Mr. Tyler that we adjourn. Do I hear a second?

Whitmore: I will second.

Bellardo: Tyler

Tyler: Aye

Bellardo: Bowman

Bowman: Aye

Bellardo: Whitmore: Aye

Whitmore: Aye

Bellardo: Heitzenrater

Heitzenrater: Aye

Bellardo: McLaughlin

McLaughlin: Aye. Thank you everyone.

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Amy M. Bellardo, Town Clerk