# Minutes 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 October 21, 2019 at 6:00 P.M.

Present: Supervisor McLaughlin, Councilman Tyler, Councilwoman Bowman, Councilwoman Whitmore, Councilman Heitzenrater, Town Clerk Bellardo, Attorney Duncanson, Highway Superintendent Pickett.

Supervisor McLaughlin opened the meeting at 6:00 PM and led the Town Council in the *Pledge of Allegiance.* Town Clerk Bellardo called the roll.

## APPROVAL OF MINUTES

**MOTION** by Councilman Tyler, seconded by Councilwoman Whitmore to accept the minutes of the September 16, 2019 Regular Meeting as presented by the Town Clerk.

**Carried. Ayes – 5 Noes - 0 Absent - 0**

## PRIVILEGE OF THE FLOOR

**David Rowe,** Town of Ellicott Code Enforcement Officer, presented the board with a breakdown of the new fee schedule that will be voted on during the meeting. He explained the reasons for each of the changes being presented. Attorney Duncanson is going to research doing a resolution to have Highway Superintendent Pickett permission to issue citations for road cut violations.

## TOWN OFFICER'S REPORTS

**Councilman Heitzenrater** spoke to the board regarding regulations for wind towers. He believes that we need regulations regarding the placement of wind towers.

**Councilman Tyler** told the board that Mr. DeJoseph appreciates the work that the highway department has done in front of his house.

**Attorney Duncanson** advised the board of the PILOT that new development project in the Village of Falconer. They are requesting a PILOT program for a 40-year term at $450 a unit with no option for review and renegotiation. Councilman Heitzenrater explained the project as having both commercial and residential. Councilman Tyler would like to see the Chautauqua County IDA involved, since he has never heard of a 40-year PILOT. Attorney Duncanson stated that the town would receive what our actual tax assessment would be with the Village, School and County to receive anything, if any, left over. Supervisor McLaughlin is going to set up a meeting with Mayor Rensel, School Superintendent Penhollow, Richard Dixson from the Chautauqua County IDA and Home Leasing.

**Highway Superintendent Pickett** advised us that the work on the Highway Garage will start in a few weeks. Leaf pickup will start shortly.

**OLD BUSINESS**

***Police Contract*** **–**Supervisor McLaughlin advised the board that the police ratified the tentative contract. He thanked Councilman Heitzenrater and Councilwoman Bowman for all their hard work on the contract.

**MOTION** by Councilman Tyler, seconded by Councilwoman Whitmore to accept the police agreement for 2020-2022 with the understanding that the officers will not be getting paid 80 hours for the holidays that are being added.

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

***Meeting with Lake Residents*** **–** Supervisor McLaughlin has scheduled an informational meeting regarding the plans for the lake next year. The meeting is set for October 24th at 7:00. All board members are welcome to attend.

**NEW BUSINESS**

***Military Marriage Resolution*** **–** Town Clerk Bellardo advised the board that New York State is waiving their portion of the marriage license fee for active military personnel. We can also waive our portion of the fee.

**RESOLUTION #82-19**
*Military Marriage Resolution*

**MOTION** by Councilman Tyler, seconded by Councilwoman Whitmore to waive the marriage license fee for active duty military personnel.

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

**RESOLUTION #83-19**
*Resolution Authorizing Conveyance of Merlin Avenue*

***Resolution Authorizing Conveyance of Merlin Avenue*** **–** Attorney Duncanson advised that we need to pass the resolution and wait 30 days for the sale of the lot on Merlin Avenue to the Patel's.

**MOTION** by Councilman Tyler, seconded by Councilwoman Whitmore to approve the Resolution Authorizing Conveyance of Merlin Avenue

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

*Tentative Budget*

***Approval of Tentative Budget*** **–** The tentative budget was submitted by Town Clerk Bellardo. After much discussion, it was determined to not give the Town Justices their requested pay increase since the other elected officials are not receiving a pay increase. Councilman Whitmore advised the board that she and Councilman Heitzenrater met with all department heads concerning the budget. There was a question as to why Assessor, Kevin Okerlund is getting reimbursed by

both the contract with Town of Busti and also through the Town's payroll. Councilwoman Whitmore would like to have an audit done by Vanstrom Accounting for the 2019 year. Councilman Heitzenrater thanked the department heads for all their hard work with their budgets.

**MOTION** by Councilman Tyler, seconded by Councilwoman Whitmore to approve the Tentative Budget.

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

*Public Hearing for Preliminary Budget*

***Public Hearing for Preliminary Budget –*** The board set up a public hearing date for Wednesday, November 6th at 6:00

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman to set the public hearing date.

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

**RESOLUTION #84-19**
*Update Fee Schedule*

**MOTION** by Supervisor McLaughlin, seconded by Councilman Tyler to approve the updated fee schedule as presented by Code Enforcement Officer, David Rowe.

**Adopted. Ayes - 5 Noes - 0 Absent – 0**

**Highway Superintendent Pickett** advised the board that he is designating Columbia Avenue between Westminster and Warwick as a seasonal limited use highway. He has spoken to all the residents and the bus garage and it is not being used. He is putting signs up this week.

**RESOLUTION #85-19**
*Payment of Claims*

**MOTION** by Councilwoman Whitmore, seconded by Councilwoman Bowman to pay Abstract #10-2019 in the amount of $104,215.60 and charge to the proper funds or accounts.

**Adopted. Ayes - 5 Noes - 0 Absent - 0**

**MOTION** by Councilwoman Whitmore, seconded by Councilman Heitzenrater to adjourn at 7:10 PM.

**Carried. Ayes - 4 Noes - 0 Absent - 1**

_____
Amy M. Bellardo, Town Clerk