

**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  
April 15, 2019 at 6:00 P.M.**

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

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.

**PUBLIC HEARING** (*Sale of Merlin Ave. Property*)

Supervisor McLaughlin opened a Public Hearing regarding the proposed sale of property on Merlin Avenue. *No public comments were heard.*

Mr. McLaughlin discussed the property. Current appraised value is \$2650 and would like to send letters to the adjoining property owners to accept bids starting at \$2650 plus all costs involved with the transfer.

**RESOLUTION #49-19**  
*Sale of Merlin Avenue Property*

**Motion** by Councilwoman Bowman, seconded by Councilwoman Whitmore to send letters to the adjoining neighbors regarding the sale of the property.

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

**PUBLIC HEARING** (*Introductory Local Law #2-2019: Change term of Supervisor & Town Clerk.*)

Supervisor McLaughlin opened a Public Hearing to discuss Town of Ellicott Introductory Local Law #2-2019 regarding the change of term for the Supervisor and Town Clerk from two years to four years. *No public comments were heard.*

**MOTION** by Supervisor McLaughlin, seconded by Councilwoman Whitmore to close the Public Hearing at 6:07 PM.

**APPROVAL OF MINUTES**

**MOTION** by Councilwoman Whitmore, seconded by Councilwoman Bowman to accept the minutes of the March 15, 2019 Regular Meeting as presented by the Town Clerk.

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

## **PRIVILEGE OF THE FLOOR**

Peggy Newell, 10 Chautauqua Place thanked the Town for their support of the Burtis Bay condition. She is concerned about when the cleanup of the Bay will start. She stated that we are in an environmental crisis with the lake.

Mike Newell, 10 Chautauqua Place presented the Board with a sample of the lake sludge in front of his house. He states that the mass is continuing to break down is concerned about the delays in the cleanup effort.

Supervisor McLaughlin responded that he has been there several days and has been talking to officials to get the cleanup started. He did not have an exact date, but will keep them informed.

Karen Rhine, 87 Longview Ave., stated that it is permit time for herbicide application and is concerned about the \$60,000 cost. She stated that the Town gave \$20,000 but wants to know where the rest will come from.

Supervisor McLaughlin responded that the Town has never allocated that much money to the lake. He knows that there is another \$10,000 promised from another source and we have received \$1,000 from a private donor for Burtis Bay herbicide application. He is hopeful that the remainder of the money will be received but states that citizens can make donations that are earmarked for the project.

Councilman Heitzenrater stated that he was at the press conference when the Chautauqua Lake MOA was announced. Burtis Bay is highlighted as the pilot project and he is hopeful for not only County funding but also through local foundations.

County Executive, George Borrello spoke about the Chautauqua Lake MOA. This is important because we will be speaking as one voice. Local businesses would be willing to help with funding if we are united. The lake needs to be treated like the sick patient that it is and Burtis Bay should be treated first. This needs to be a binding agreement. This is the first time the County will be taking an active roll in the cleanup of the lake.

## **CORRESPONDENCE**

No Correspondence.

## **TOWN OFFICER'S REPORTS**

**Councilman Heitzenrater** has attended one or two meetings with the Chautauqua Lake Partnership. The herbicide permits now depends on the DEC.

**Attorney Duncanson** advised us of the next steps that will need to be taken if we find a buyer for the Merlin Avenue property.

**Highway Superintendent Pickett** advised us that he had to take \$22,500 out of his summer budget to make up for the lack of Extreme Winter Recovery. He also informed us that they

will not be picking up brush. Brush night starts today and will be held every other week until the end of September. Street sealing oil is up 44% from last year. He is also meeting with Eco Strategies to get a bridge inspection program in place. Water tower inspection is tomorrow with the County. Clark Patterson Lee is getting prices together to replace the water tower.

**OLD BUSINESS**

No Old Business.

**NEW BUSINESS**

*Memorandum of Agreement for Chautauqua Lake* – Supervisor McLaughlin would like a motion to sign the MOA and have it notarized and returned to Mayville. Councilman Heitzenrater commented that the signers cannot be sued.

**RESOLUTION #50-19**

*Approval of MOA for Chautauqua Lake*

**MOTION** by Councilman Heitzenrater, seconded by Councilwoman Whitmore authorizing the Town of Ellicott to sign the Memorandum of Agreement for Chautauqua Lake

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

*Local Government Conference* – Supervisor McLaughlin stated that the deadline for registration is ending soon for the Local Government Conference in Houghton. If you want to attend, please let Town Clerk Bellardo know.

*Change in Life Insurance Benefit* – Supervisor McLaughlin stated that Randy Graham from Selective Insurance looked at our life insurance policy and was able to increase the death benefit from \$10,000 to \$30,000 for the same amount of money.

**RESOLUTION #51-19**

*Payment of Claims*

**MOTION** by Councilwoman Bowman, seconded by Councilman Heitzenrater to pay Abstract #4-2019 in the amount of \$205,368.15 and charge to the proper funds or accounts.

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

**MOTION** by Councilwoman Whitmore, seconded by Councilwoman Bowman to adjourn at 6:50 PM.

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

---

Amy M. Bellardo, Town Clerk