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 16, 2018 at 5:45 P.M.

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

Supervisor McLaughlin opened the meeting at 5:45 PM and led the Town Council in the *Pledge of Allegiance.* Town Clerk Erlandson called the roll.

PUBLIC HEARING ***(Introductory Local Law #3-2018: Establishment of DPW)***

Supervisor McLaughlin opened a Public Hearing at 5:45 PM to discuss Town of Ellicott Introductory Local Law #3-2018. The proposed law pertains to the establishment of a Department of Public Works in the Town of Ellicott and to assign certain administrative functions and duties to the Director of Public Works. Supervisor McLaughlin briefly outlined the rationale for establishing a DPW. The Town Council discussed the matter. No public comments were heard.

MOTION by Supervisor McLaughlin, seconded by Councilwoman Bowman to close the Public Hearing at 5:49 PM.

Carried. Ayes - 4 Noes - 0 Absent - 1

APPROVAL OF MINUTES

MOTION by Councilwoman Bowman, seconded by Councilwoman Whitmore to accept the minutes of the March 19, 2018 Regular Meeting & the April 5, 2018 *Special* Meeting as presented by the Town Clerk.

Carried. Ayes - 4 Noes - 0 Absent - 1

CORRESPONDENCE

Town Clerk Erlandson read the following items into the record:

1. Letter from *Falconer Central School* thanking Town of Ellicott employees for their recent donation to the Prudence A. Beckerink scholarship fund.
2. Notice of Public Hearing: *Town of Busti* Zoning Board of Appeals, April 25, 2018.
3. Invitation to the *Chautauqua County* Workers' Memorial to be held on Saturday, May 5, 2018 at *Erlandson Park.*
4. Notification re the annual *Village of Falconer Memorial Day* Parade to be held on May 28, 2018.
5. Notification from *New York State Dept. of State* that Town of Ellicott Local Law #2-2018 has been received & filed.

6. Notification from the *Jamestown Board of Public Utilities* announcing water main flushing dates in the Falconer area.
7. Notice of from the *Chaut. Co. Dept. of Human Resources* that the Town of Ellicott's payroll from 3/1/18 – 2/28/19 has been certified.
8. Notice re the annual Local Government Conference sponsored by *So. Tier West Regional Planning & Devel. Board* to be held at *Houghton College* on May 9, 2018.

TOWN OFFICER'S REPORTS

Councilman Heitzenrater reported that he has been attending meetings of the *Greater Falconer Area Economic Development Committee.* He updated the Town Council re the committee's plans for commercial development in Falconer.

Mr. Heitzenrater also commented on a recent article in the *Jamestown Post-Journal* concerning pay increases for *City of Jamestown* police officers.

Mr. Heitzenrater also enquired about the status of an abandoned house on Avalon Blvd. Supervisor McLaughlin stated that the owner of the abandoned property has been cited for code violations and will be appearing in the Ellicott Town Court in the near future.

Town Clerk Erlandson reported that the project to construct a custom glass partition and install a panic alarm security system in the Town Clerk's office should get underway in the next several weeks. (Minutes 3/19/18)

Supervisor McLaughlin reported that he and several other town officers met with *Jamestown Board of Public Utilities* officials last week to continue negotiations re a new water and sewer agreement with the *City of Jamestown*. (Minutes 8/21/17 et. seq.) According to Mr. McLaughlin, both parties have agreed in principle to the terms of a new agreement. However, he explained that the agreement will have to be approved by the entire *BPU* board as well as Jamestown City Council before it is finalized. Councilman Heitzenrater asked several questions pertaining to the proposed agreement.

Mr. McLaughlin also reported that he recently attended a *Chautauqua Co. Mayors and Supervisors Association* meeting. At the meeting, he was informed that the *Chautauqua Co. Dept. of Public Facilities* intends to dredge certain portions of *Chautauqua Lake* in 2019. He stated that county officials are looking for locations to deposit the dredging material which consists mainly of silt & gravel. He added that the county has offered to give the material away for free to any municipality that would be interested in accepting it. Mr. McLaughlin noted that the Town of Ellicott might be able to utilize some of the material at *Burtis Bay Park*. He pointed out that although this wouldn't take place until next year county officials are looking for commitments from municipalities in advance of the dredging. He stated that further details concerning the dredging project are forthcoming. He will keep the Council apprised of further developments.

Mr. McLaughlin also reported that he recently met with *Chautauqua Co. Industrial Development Agency (CCIDA)* officials concerning its frequent lack of transparency relative to actions or pilot programs the agency is considering – particularly those that would affect

local municipalities. He asked that *IDA* officials keep town officials better informed re actions the agency is considering that could potentially impact the Town of Ellicott.

OLD BUSINESS

RESOLUTION #60-18
Adopt Local Law #3-2018 (Establishment of Dept. of Public Works)

MOTION by Councilman Heitzenrater, seconded by Councilwoman Whitmore to adopt Town of Ellicott Local Law #3-2018 establishing a Department of Public Works in the Town of Ellicott and to assign certain administrative functions and duties to the Director of Public Works. (see 'Local Law #3-2018' for detail)

Adopted. Ayes - 4 Noes - 0 Absent - 1

Purchase of Property in West Ellicott (Graves) – The Town Council discussed the status of the purchase of two (2) properties located near Brooks St. in the Town of Ellicott. (Minutes 10/13/16) The properties are owned by Josephine Graves. Supervisor McLaughlin reminded the Council that town officials are waiting for Mrs. Graves to sign several documents transferring ownership of the properties to the Town of Ellicott. (Minutes 2/12/18) He explained that, to date, she has not signed the documents. Tabled until further notice.

NEW BUSINESS

RESOLUTION #61-18
Bond Anticipation Note Renewal (Tractor/Loader/Cutter)

MOTION by Councilwoman Bowman, seconded by Councilwoman Whitmore authorizing the renewal of a **Bond Anticipation Note** in the amount of $10,936.00 for the purchase of a 2014 *John Deere* 5100E utility tractor, a new *John Deere* H620 front loader and a new *Bush Hog* 2810L flex wing rotary cutter. (see 'BAN' file for detail)

Adopted. Ayes - 4 Noes - 0 Absent – 1

RESOLUTION #62-18
Temporary Appointment to Board of Assessment Review (Jose)

MOTION by Councilwoman Whitmore, seconded by Councilwoman Bowman appointing Dennis Jose, 3244 Gerry Levant Rd., Falconer, New York as a *temporary* member of the Town of Ellicott Board of Assessment Review, term to expire on September 30, 2018.

Adopted. Ayes - 4 Noes - 0 Absent - 1

RESOLUTION #63-18
Payment of Claims

MOTION by Councilwoman Bowman, seconded by Councilwoman Whitmore to pay Abstract #6-2018 in the amount of $117,574.16 and Abstract #7-2018 in the amount of $197,853.53 and charge to the proper funds or accounts.

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

MOTION by Councilwoman Bowman, seconded by Councilwoman Whitmore to adjourn at 6:20 PM.

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

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Michael C. Erlandson, Town Clerk