

**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  
May 17, 2021 at 6:00 P.M.**

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

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 March 15, 2021 Regular Meeting and March 29, 2021 Special Meeting as presented by the Town Clerk.

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

**TOWN OFFICER REPORTS**

**Town Clerk Bellardo** reported that we received first quarter sales tax and it was up over 2%.

**OLD BUSINESS**

**Resolution #20-2021**  
Online Banking Policy

MOTION by Councilman Tyler and seconded by Councilman Heitzenrater to accept the online banking policy as written by Councilwoman Whitmore.

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

Federal Stimulus Money

There has still not been clear directive as to when we will be receiving the money, if we have to apply for it or what we can use it for.

Lake Herbicide

Supervisor McLaughlin reported that the herbicide application has been completed. We are waiting for final results.

**NEW BUSINESS**

**Resolution #21-2021**

Renew BAN 2020 Dump Truck

We are renewing the BAN in the amount of \$138,635.20 with an interest rate of 4.2%

**MOTION** by Councilman Tyler and seconded by Councilwoman Whitmore renewing the BAN on the 2020 Dump Truck.

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

**Resolution #22-2021**

Zoning Code Update

Code Enforcement Officer, David Rowe would like to have the Zoning Code Book updated at a cost of between \$31,600 and \$48,500 over a two-year period. Attorney Duncanson answered the questions from the Board regarding what would be updated and why it needs to be done.

**MOTION** by Councilman Tyler and seconded by Councilman Heitzenrater to allow David Rowe to accept the proposal for the update of the zoning code book.

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

**Resolution #23-2021**

Police Health Insurance

Supervisor McLaughlin reported that the police health insurance deductible went up \$900 for a family plan. They are requesting to be made whole on the amount. He would like them to remit receipts and we will reimburse them for their costs up to \$900.

**MOTION** by Councilman Tyler and seconded by Councilman Heitzenrater reimburse the police officers up to \$900 above the \$5000 deductible.

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

**Resolution #24-2021**

Consent Judgement – Dollar General

Attorney Duncanson reported that he would like the board to sign off on the Consent Judgment for Dollar General. It will decrease their assessment by \$150,000 with no refunds on prior taxes paid.

**MOTION** by Councilman Tyler and seconded by Councilwoman Whitmore to allow Attorney Duncanson to sign the Consent Judgement for Dollar General.

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

**Resolution #25-2021**

Memorandum of Understanding

Supervisor McLaughlin would like the Board to sign the new Memorandum of Understanding to work together regarding the lake. It is a non-binding agreement.

**MOTION** by Councilman Tyler and seconded by Councilman Heitzenrater to allow Supervisor McLaughlin to sign the Memorandum of Understanding.

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

**Resolution #26-2021**

Public Hearing – Fluvanna Sewer

Supervisor McLaughlin reported that he received a call from Dave Leathers from the BPU wanting to discuss water on Fluvanna in conjunction with our potential sewer project. Discussion was had about still holding a public hearing to start the sewer project before talking with the City of Jamestown and the BPU.

**MOTION** by Councilman Tyler and seconded by Councilwoman Whitmore to schedule a public hearing for June 21<sup>st</sup> at 6:00.

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

**MOTION** by Councilwoman Whitmore seconded by Councilman Heitzenrater to pay Abstract #10-2021 in the amount \$53,949.88.

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

**Motion** by Supervisor McLaughlin, seconded by Councilman Tyler to adjourn at 6:51 pm.

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

**Resolution #27-2021**

Executive Session (Personnel Issues)

**MOTION** by Councilman Tyler seconded by Councilman Heitzenrater to convene Executive Session for the purpose of discussing personnel issues 6:51 PM – 7:22 PM

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

---

Amy M. Bellardo, Town Clerk