

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 9, 2024, at 5:30 P.M.

Present: Supervisor Bowman, Councilman Rensel, Councilman White, Councilwoman Whitmore, Councilman Swan, Town Clerk Bellardo, Highway Superintendent Pickett, Attorney Fiore-Lehman.

Supervisor Bowman opened the meeting at 5:30 PM and led the Town Council in the *Pledge of Allegiance*. Town Clerk Bellardo called the roll.

APPROVAL OF MINUTES

MOTION by Councilman Swan, seconded by Councilman White to accept the minutes of the March 11, 2024, Regular Meeting.

Carried.

Ayes – 5

Noes - 0

Absent – 0

PRIVILEGE OF THE FLOOR

Bob Olson, 2884 Bentley Ave., is here to file a complaint regarding 2892 Bentley Ave. There is suspicious activity. Many cars come and go late at night. They believe it is drug activity. Most of the neighbors have cameras and are recording and sending the recording to the police. The whole street is on edge and have to lock their doors even when just going to the shed. They are afraid that something bad is going to happen.

Beth Olson, 2884 Bentley Ave., is representing the neighbors who are not able to attend the meeting. She is very appreciative of the police officers who are there all the time and put themselves in harm's way. They see cars peeling out, one neighbor was chased by a car. They believe that some of the activity has moved to the back of the parking lot at Fluvanna Community Church.

Stacy Nelson, 2899 Bentley Ave., lives kitty-corner from the house. She lives by herself and feels unsafe. She can no longer be walking at night in the neighborhood.

Kevin Millward, 2889 Bentley Ave., his camera is going off four to five in the middle of the night.

Cindy Orlando, 2229 Willard St., has a concern about the town code and enforcement of it. She would like to thank David Crossley for acting on the violations but would like to know how long they have to correct the violation and what the next steps are. She is concerned that violations will continue. She is concerned that Brick City will use the property that they purchased as storage for

company equipment. Supervisor Bowman will go over the packet and speak with Mr. Crossley and they will get back to her.

CORRESPONDENCE

Supervisor Bowman gave the board a letter regarding the Veterans Memorial Yearly Meeting on May 4th in Frewsburg.

TOWN OFFICER REPORTS

Councilman Rensel advised the board that he went to the opening of Pearl City Cycles. The hair salon has not opened yet. He also noted that the cleanup is almost complete at The Colony Hotel.

Councilman Swan would like for the town to go on record that we oppose the wetlands in the lower basin.

Councilman White received a call from a resident on Price St., They had 16 people sign a complaint they gave to David Crossley. They were wondering about the status of the complaint. He will touch base with Mr. Crossley.

Supervisor Bowman has been contacted by Dave Conroe looking for a donation to the Chautauqua Lake Association. We have not given them a donation in several years and it is not in the budget. They are asking for \$6500.

Highway Superintendent Pickett advised the board that we were turned down for a WQIP Grant. We did not meet the metrics for the DEC to get the grant. He doesn't believe that we can meet the metrics. The engineer said that he could clean up the grant submission but would be in the six figures for a preliminary plan. There is a new engineer who we are going to talk to regarding Fluvanna Water. The BPU would like to discuss the issue with us again. The water tower is set to begin in June. They are waiting for the FAA permits and National Grid. He met with the supervisor for Pine Hill Cemetery. They are out of funds and cannot get funding. They get \$6000 from the Community Foundation and they estimate the cost of running the cemetery is \$25,000 a year. They would like to know if there is anything the Town can do to help. Unfortunately, the cemetery will revert to us and it will be a domino effect with the other cemeteries.

OLD BUSINESS

Lake Paper Street

Attorney Fiore-Lehman has reached out to the attorney for the Griffos and will hopefully have it wrapped up in the next few weeks.

Moratorium on Short-Term Rentals

Attorney Fiore-Lehman advised the board that Lakewood has a public hearing set up. There will probably be some changes in the draft before it is finalized. She sent the board some examples of other towns/villages' regulations. Councilman Rensel would like to know if we could do a hybrid

of a few of them that he read. Supervisor Bowman said that there is pending legislation regarding a registry of short-term rentals.

NEW BUSINESS

East Ellicott Local Development Corporation

Nina Gustafson summarized the East Ellicott Local Development Corporation (LDC) that the Village of Falconer would like to partner with us. This would promote economic development within the Village of Falconer and the eastern portions of the Town of Ellicott. This would be a non-profit entity. This would allow us to apply for grant funding for businesses and residents. The Village is currently working with the Chautauqua County Chamber of Commerce to develop a Falconer Division, which will encourage business activity. It is her goal to have the LDC in place by this fall.

Highway Material Bids

Highway Superintendent Pickett went over the highway material bid results.

MOTION by Councilman Swan seconded by Councilwoman Whitmore to accept the highway material bid results as presented.

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

Purchase Road Widener Shoulder Attachment

Highway Superintendent Pickett would like to purchase a road widener shoulder attachment. He is going to look at one in Warren to see if it will work for them. It is a Source Well bid of \$76,350. He is looking to see if he could use CHIPS funds for the purchase. If not, it would come out of the equipment reserve.

MOTION by Councilman Swan seconded by Councilwoman Whitmore to allow Highway Superintendent Pickett to purchase a road widener shoulder attachment.

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

ZBA Resignation/Appointment

Supervisor Bowman advised the board that Phyllis Belin has resigned from the Planning and Zoning Board. She would like to appoint Angelo Cimo, 39 N. Hanford Ave WE, to replace Phyllis as an alternate to the Planning and Zoning Board.

MOTION by Councilwoman Whitmore seconded by Councilman Swan to accept the resignation of Mrs. Belin and the appointment of Mr. Cimo.

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

Summer Office Hours

Town Clerk Bellardo would like to try summer hours. They would be Monday – Thursday from 8:00 to 4:30 and Friday from 8:00 to 1:00. Most clerks in the county are already doing this.

MOTION by Councilman Rensel seconded by Councilman White to change the hours of the office this summer.

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

Budget Transfers

Town Clerk Bellardo would like to do the following budget appropriations and transfers:

Appropriations and Transfers from Reserves to Cover Expenses

For Broom

To:	DB 221-00	General Services Other Government	\$10,128.76
From:	DB 878	Equipment Reserve	\$10,128.76

To:	DB 513-02	Highway Equipment for Broom	\$10,128.76
From:	DB 221-00	General Services Other Government	\$10,128.76

For Tree Removal

To:	DB 221-00	General Services Other Government	\$32,812.00
From:	DB 835	Road Repair Reserve	\$32,813.00

To:	DB 514-04	Brush and Weeds CE	\$32,812.00
From:	DB 221-00	General Services Other Government	\$32,812.00

MOTION by Councilwoman Whitmore seconded by Councilman Rensel to approve the appropriations and transfers as presented.

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

Payment of Claims

MOTION by Councilwoman Whitmore seconded by Councilman Swan to pay Abstract #6-2024 for \$116,855.56.

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

EXECUTIVE SESSION (Annexation)

Motion by Councilwoman Whitmore seconded by Councilman White to convene an Executive Session to discuss the Annexation. 6:36 PM – 7:06 PM.

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

Motion by Councilman Swan, seconded by Councilwoman White to adjourn at 7:06.

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

Amy M. Bellardo, Town Clerk

Falconer - East Ellicott Local Development Corporation

The Village of Falconer would like to partner with the Town of Ellicott to form the Falconer - East Ellicott Local Development Corporation. This newly formed organization will help promote economic development within the Village of Falconer and eastern portions of the Town of Ellicott.

The LDC will be comprised of volunteer community members from the Village and the Town who have a common interest in promoting economic development and prosperity within the greater Falconer area. In time, it will have an executive director who will manage operations and work to advance the goals and objectives set by the LDC board. Each municipality will also be represented by an ex officio member.

By not having access to a non-profit entity such as an LDC, the Village of Falconer and the Town of Ellicott are currently unable to apply for grant funding that can be utilized for business development or any other grant funding that is available for housing development or improvements. Many of our neighboring municipalities have LDC's and can apply for funds that can be used for lending, matching grants, or home improvement opportunities. Without this tool, it leaves residents and business owners at a competitive disadvantage.

In 2023, two businesses within the Village and East Ellicott area, worked with Chautauqua Opportunities for Development and received grant Funding from New York State to start and expand their businesses. PersNikkity Pies and Carlberg Farms were recipients of available funds from these programs. These grants were examples of cooperative efforts with non-profits and the public sector.

Currently, the Village is also working with the Chautauqua County Chamber of Commerce to develop their own local Falconer Division of the Chamber of Commerce which will come under the umbrella of the Chautauqua County Chamber. We have been working with Dan Heitzenrater, President, and CEO, to assist with this endeavor for the Village. The presence of a local Chamber will encourage business activity and strengthen the relationship between the Village and the Town.

Since this will involve both the Village and the Town of Ellicott, it will open doors for small Village businesses, as well as businesses that surround the Village such as manufacturers, retail stores, and even agricultural-based businesses. Falconer is the epicenter for these businesses where the owners and their employees go for gas, food, and other services so everyone would benefit.

After researching other local development corporations including Lakewood, Westfield, Randolph, and Jamestown, and seeking advice from other local directors, we were advised that we would get the maximum benefit if we combined the Village and the Town. However, because of the unique geography of the Town, it was suggested to limit the coverage area to the eastern half of the town (boundaries to be determined).

Attorney Michael Bobseine has agreed to assist us in setting up the LDC and he has graciously offered his services pro bono. He has completed the first draft of the articles of incorporation. The Village of Falconer has set aside ARPA funds for anticipated expenses.

It is our goal to have this LDC in place by this fall. Since the Village will be reapplying for the New York Forward grant, having the LDC in place will allow us to apply for funding as part of this grant.

TOWN OF ELLICOTT
HIGHWAY DEPARTMENT
ROBERT F. PICKETT JR
SUPERINTENDENT OF HIGHWAYS

HIGHWAY GARAGE
235 EAST MOSHER STREET
FALCONER NY 14733
PH 716-665-2101

ADMINISTRATION BUILDING
215 SOUTH WORK STREET
FALCONER NY 14733
PH 716-665-5317

April 9, 2024

To: Town Board

RE: Highway Material Bid Results.

The highway department requests Town board approval to use the following bids:

Pipe - State Bid
Culverts- State Bid
Liquid Bituminous – State Bid, County Bid
Blacktop – State Bid, Town of Ellicott Bid, County Bid
Limestone, Gravel, Stone, Top dirt - County Bid
Concrete – County Bid
Crack Filling – County Bid
Milling – County Bid, Quotes
Nova Chip – County Bid
Signs - Quotes
Trees – County Tree Bid, or by individual bid per tree
Tires – State Bid

Sincerely,



Robert F. Pickett Jr.

Town of Ellicott
Assessor's Report
May 9, 2024

The County passed the change to the Senior Exemption, from \$58,400 to \$30,000. This change will take place next year.

Next is Grievance Day. We have scheduled your Grievance Day for Tuesday May 28th at the Town of Ellicott Administrative Building. The Save the date letter already went out to your BAR members.

I will be out of town next week for Farm Appraisal class 4/7 – 4/12. Kendra will be available for any assistance during that time.

Thank you,

Tera Darts, Assessor

TOWN OF ELLICOTT JUSTICE COURT

Marilyn Gerace

Town Justice

215 South Work Street

Falconer, New York 14733

Phone: 716-665-5319

Fax: 716-484-7326

Sally Jaroszynski

Town Justice

April 2024 Board Meeting

For the month of March:

\$24,889 in fines, fees and surcharges was collected by the Court and was given to the Town of Ellicott Supervisor for court cases reported to the NYS Comptroller for **March 2024**. The Court opened **342** new cases and closed **315** cases.

Submitted on behalf of the Town of Ellicott Court

Kaitlin McNeill

Court Clerk

February 5, 2024