

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE, March 15, 2023  
at 6:00 pm HELD AT THE TOWN HALL

<b><u>Present:</u></b>	Matthew McAndrew	Supervisor
	John Zerfas	Councilman
	Steve Crowley	Councilman
	Ken Hinman	Councilman
	Greg Fitzpatrick	Councilman
	Robyn George	Town Clerk
	Ben Slotman	Town Engineer
	Greg Keyser	Town Planner
	Scot Brumagin	Highway Superintendent
	Seth Pullen	Town Attorney

**Also present:** Vicky Conner, David Dauris, George Anderson

**Call meeting to order:**

Supervisor McAndrew called the meeting to order at 6:00pm and led the Pledge to the Flag.

**Privilege of the Floor**

- Short Term Rental Proposal – Granicus

Samantha White and Jeffrey Goodman joined the meeting via Zoom to discuss their company's proposal for planning services to create a local law on Short Term Rentals for the Town. Data research shows that there are 405 short term rental listings (332 unique rental units) just in the Town, mostly single family homes. This represents a 12% listing growth. The median price per night is \$344.00. Granicus monitors the data which is updated every 3 days.

Jeff Goodman is an Urban Planner with years of experience helping municipalities realize their goals regarding short term rentals. Safety is a big concern, as is the affect on the housing market and residents. His plan would have rules that would be enforceable and mitigate negative impacts. They could help set up informational meetings and a public hearing. Besides helping the Town come up with a comprehensive plan, the company offers compliance monitoring services, including a permitting system with an on-line portal that would name an emergency contact to deal with problems that might arise. He gave the Board names of towns in NYS that Granicus works with for references.

- Vicky Conner – Election Audit

Vicky Conner is asking the Board for support of an election audit. She alleges that there were numerous violations of election law in Cattaraugus County, alone.

### **Approve Minutes**

- Town Board Meeting – February 15, 2023
- Special Meeting – February 23, 2023

On motion by Mr. Crowley and second by Mr. Hinman the minutes of the February 15, 2023 regular meeting were:

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

On motion by Mr. Zervas and second by Mr. Crowley the minutes of the February 23, 2023 special meeting were:

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

### **Audit of Claims**

- Pay Town bills on Distribution Report #02-2023

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

**Resolved** that the Town bills be paid on General Ledger Distribution Report 02-23 as follows:

001 - General Fund A:	\$ 34,781.09		
002 - General Fund B:	\$ 3,493.69		
		General Fund Total:	\$ 38,274.78
004 - Highway DB	\$ 27,922.02		
		Highway Fund Total:	\$ 27,922.02
006 - Water	\$ 19,209.55		
		<u>006 - Water Fund Total</u>	<u>\$ 19,209.55</u>

Grand Total: \$ 85,406.35

### **Supervisor's Reports**

- Accept Supervisor's February 2023 Financial Report

**On motion** by Mr. Hinman and second by Mr. Zervas the Supervisor's February 2023 Financial Report was

Accepted Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

- Short-term Rental Committee

The committee has met and is discussing goals, fees and process. Mr. Pullen said it is reasonable to structure fees to pay for the expense of maintaining the system. Parking issues at some of the short term rentals was discussed.

- Supervisor's meeting

Dan Brown was named Chair and Matt McAndrew Vice-Chair. The group discussed Solar and Wind energy, short term rentals, Highway ROW's, Code Enforcement and Assessing issues.

### **Present Written Department Reports for Approval**

- Clerk's, Police, Justice, Planners and Building Inspector's

**On motion** by Mr. Hinman and second by Mr. Crowley the Clerk's, Police, Justice and Building Inspector's reports were:

Accepted Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

### **Department Heads**

- OIC Auge – Not present
- Scot Brumagin– Highway Department
- Construction Schedule

A construction schedule for 2023 was provided to the Board outlining what the Highway Department would like to accomplish this year.

- National Fuel Line

To move forward with installing a gas line to the Highway Barn, the town would have to get the right size pipe which National Fuel would then inspect. The alternative plan for installation directly across the road will be looked into. It would be more direct and could save the Town money if National Fuel approves.

Mr. Brumagin joined other Highway Superintendents from across the State in Albany asking the State to increase CHIP funding by 25%.

- One ton truck purchase

Mr. Brumagin received a quote of \$68,426.23 on state bid for a one ton F600 truck. He also is working on a quote to outfit the truck which would be an additional \$80,000. Both quotes are under what was budgeted.

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

Resolved that Mr. Brumagin is authorized to order the one ton F600 truck at a cost of \$68,426.23.

- Hiring Kevin Woodin

Mr. Brumagin would like to hire Kevin Woodin on a part-time basis. He thinks his experience would be a real asset to the department and then he could hold off on hiring a full-time employee. He's proposing he begin after plow season.

On motion by Mr. Fitzpatrick and second by Mr. Crowley the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

Resolved that Mr. Brumagin is authorized to hire Kevin Woodin on a part-time basis at the hourly rate of \$18.36.

- **Greg Keyser – Planning Department**

Mr. Keyser has been working on Cannabis Regulations.

Preserve NY Grant application has been pre-approved.

Mansfield may want the Town Planner to provide guidance to their Planning Board. An IMA would have to be prepared,

A revised application was submitted for the Simmons Road Solar Farm. They are proposing pushing it back to minimize visual impact.

- **Ben Slotman – Engineering Department**

On motion by Mr. Crowley and second by Mr. Zervas the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

Resolved that the Town Clerk advertise the Requests for Proposals for landscape maintenance of the Nannen Arboretum and Jefferson Street, Niles and Bryant Hill Cemeteries.

The Engineering Department is looking to put into place a few General Service agreements with professional services for on call/as needed basis. Discussion followed.

MOTION: by Mr. Hinman, seconded by Mr. Hinman to table the discussion on General Service RFP's.

There were 2 more applicants for the Engineering Assistant position. The engineering background of each applicant was limited so the search will continue.

The heating system at Parkside Dr. is causing some areas to overheat. They is no way to control the heat in the CEO's office or hallway. Mr Slotman is proposing a change order for Parise Mechanical to install controls to correct the problem.

On motion by Mr. Crowley and second by Mr. Zervas the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
Nays 0

Resolved that the Board accept the Change order # 4 to the Parise contract to install thermostats and controls at a total cost of \$5,313.00.

The bill from MJ Mechanical that was in question was only for the inspection of the boiler. They identified the problem and informed Parise who fixed it. Re-inspection of the boiler is scheduled.

A flyer asking for resident's preferences regarding Pinetree lighting has been prepared and will be distributed.

The Water Project is ready to go. Discussion followed on moving forward with Phase 1 Drainage Improvements on Holiday Valley Road and holding off on the Elizabeth Street phase so as to coordinate with the Village repaving plan. It may make sense to coordinate with the Village and only dig once on Elizabeth.

### **New Business**

- Granicus STR Proposal

Although the Board was impressed with the Granicus presentation, they have asked Mr. Keyser to look for other proposals for consultants for short term rental local law preparation and check references for Granicus.

### **Old Business**

- Dog Kennel IMA

A Dog Kennel IMA with the Town of Ashford was presented. Ashford would charge \$20 per day and for any necessary veterinary services. Owners would be charged these fees to retrieve their dog. After 20 days the dog would be put up for adoption.

On motion by Mr. Zervas and second by Mr. Crowley the following resolution was

Accepted      Ayes 5 - McAndrew, Zervas, Hinman, Fitzpatrick & Crowley  
                    Nays 0

Resolved that the Town approve the Dog Kennel IMA with the Town of Ashford and authorize the Supervisor to sign.

- EVGV Trail

A \$1,000 donation was received.

- SAM Grant – waiting for the agreement

### **Adjournment**

Motion by Mr. Zervas seconded by Mr. Hinman to adjourn the meeting at 8:25pm and enter into attorney/client privilege. All Ayes. Carried.

I, Robyn A. George, Clerk of the Town of Ellicottville, County of Cattaraugus, State of NY, do hereby certify that the foregoing constitutes the complete minutes of the Town Board Meeting held on the 15th day of March, 2023, approved by said Board on the 19<sup>th</sup> day of April, 2023.

  
Robyn A. George, Town Clerk