

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 8, 2023, at 5:30 P.M.

Present: Supervisor Bowman, Councilman Tyler, 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 Tyler, seconded by Councilwoman Whitmore to accept the minutes of the April 27, 2023, Special Meeting.

Carried.

Ayes – 5

Noes - 0

Absent – 0

PUBLIC HEARING

Supervisor Bowman canceled the public hearing since the Post Journal did not publish the notice in time to give people a 10-day notice. It will be rescheduled.

PRIVILEGE OF THE FLOOR

Marilyn Gerace, 381 Hunt Rd., Jamestown. Justice Gerace advised the Board of her continued frustration regarding how the decision to eliminate a justice position was handled. We should not be celebrating or considering this decision to rescind the resolution as a victory. This situation should not have escalated to this point. It has taken a considerable amount of time, energy, and resources all of which can be better spent on other matters. The Town Board acted hastily without the consideration of key stakeholders. The decision has shaken the community's faith in their leadership. It is deeply troubling to see those in power make such reckless decisions that could have had a lasting effect on the court's operations. Public safety should always be a top priority. As we move forward, let this be a reminder of the Board's responsibility to represent the public's best interest. She is truly thankful for the support of the community. We need a board that is dedicated to serving the community with integrity and thoughtfulness.

David Leach, 3126 N. Main St. Ext., Jamestown. He would like to thank the Board for keeping the increase in the tax levy under the inflation rate. He would like to know how much of the tax increase was due to the increase in running the town court. He cannot find a fiscal justification for gutting our Town Court that has served us so efficiently for so many years.

CORRESPONDENCE

Supervisor Bowman read the following into the record:

- Received an invite from the Village of Falconer for the Memorial Day celebration and parade on May 29th. Line up on Dow Street at 9:45.

TOWN OFFICER REPORTS

None

OLD BUSINESS

Resolution #1-2023

Abolishment of One Elected Town Justice

MOTION by Councilman Tyler seconded by Councilwoman Whitmore to rescind Resolution #1-2023.

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

Public Hearing – Water Tower Restoration

MOTION by Councilman Tyler seconded by Councilman Swan to set a public hearing for Wednesday, May 24th at 12:00 pm for the Water Tank Restoration Bond approval.

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

Alliance Board Nominations

MOTION by Councilman Tyler seconded by Councilman White to nominate Kenneth Swan for the Alliance Town/Village Seat and JoDee Johnson to the At-Large Seat.

Adopted.	Ayes - 5	Noes - 0	Absent - 0
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Hazard Mitigation Plan

Highway Superintendent Pickett received the draft of the Hazzard Mitigation Plan.

NEW BUSINESS

BAN Renewal – 2020 Dump Trucks

Town Clerk Bellardo explained that M&T Bank wants an interest rate of 7.08%. She checked with Community Bank and they can do the \$69,325.00 BAN with an interest rate of 5.95%.

MOTION by Councilman Tyler seconded by Councilman White to renew the 2020 Dump Truck BAN at Community Bank.

Adopted. **Ayes - 4** **Noes - 0** **Absent –0**
(Councilwoman Whitmore abstained from the vote)

Assessing Agreement

MOTION by Councilman Tyler seconded by Councilman White to accept the Assessing Agreement as drafted by Attorney Fiore-Lehman

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

Resolution #4-2023

Town Clerk Bellardo reported that Community Bank would like our business. M&T Bank is currently paying .15% interest. Community Bank is offering 4.78% on our Money Market account.

MOTION by Councilman Swan seconded by Councilman Tyler designating Community Bank as the depository for the Supervisor's funds.

Adopted. **Ayes - 4** **Noes - 0** **Absent –0**
(Councilwoman Whitmore abstained from the vote)

BAN Renewal – 2020 Dump Trucks

Town Clerk Bellardo explained that some potential retirees have approached her asking that they be allowed to remain on the Town's insurance at their expense. The insurance company would allow it. She will check back to see if they have a contract for the retirees to sign.

MOTION by Councilwoman Whitmore seconded by Councilman Tyler to pay Abstract #8-2023 for \$82,039.07.

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

Motion by Councilwoman Whitmore, seconded by Councilman Tyler to adjourn at 5:48 pm.

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

Amy M. Bellardo, Town Clerk

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

May 2023 Board Meeting

For the month of April:

\$14,766.57 in fines, fees and surcharges was collected by the Court and given to the Town of Ellicott Supervisor for Court Cases reported to the New York State Comptroller for April 2023. The Court opened 277 new cases and closed 195 cases.

Submitted on behalf of the Town of Ellicott Court:

Kaitlin McNeill

Court Clerk

May 3, 2023

Town of Ellicott
Assessor's Report
May 4, 2023

April was another busy month for the Assessment office. We were able to get all the deeds and splits done through March.

The Tentative Roll was sent to the County and the Change of Assessment letters have been mailed. We have already started to receive calls regarding assessments.

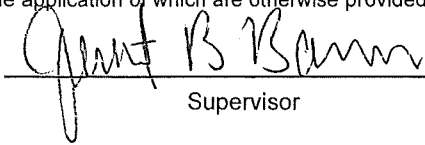
During the next few weeks, we will be scheduling appointments for the Board of Assessment Review for those property owners that seek a reduction in their 2023 assessed value.

Tera Darts, Assessor

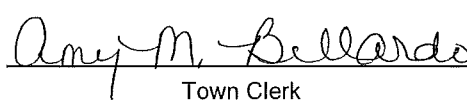
Account Description	Fee Description	Account#	Qty	Local Share
Conservation	Conservation	A1255	12	24.30
			Sub-Total:	\$24.30
Dog Licensing	Female, Spayed	A2544	23	259.00
Dog Licensing	Female, Unspayed	A2544	7	105.00
Dog Licensing	Male, Neutered	A2544	27	295.00
Dog Licensing	Male, Unneutered	A2544	6	90.00
			Sub-Total:	\$749.00
FINGERPRINTING FEE	Fingerprinting fees	A1520	20	40.00
			Sub-Total:	\$40.00
MISC. FEES	Brush Permit	A1255	4	4.00
MISC. FEES	Certified Copies	A1255	11	110.00
MISC. FEES	Fire Inspections	B1540	5	600.00
			Sub-Total:	\$714.00
PERMIT FEES	Building Permit	B2555	10	3,100.00
PERMIT FEES	Fence Permit	B2555	2	60.00
PERMIT FEES	Sign Permits	B2555	1	100.00
			Sub-Total:	\$3,260.00
WAGERING FEES	Bingo Proceeds	A2450	4	96.66
			Sub-Total:	\$96.66
			Total Local Shares Remitted:	\$4,883.96
Amount paid to: NYS Ag. & Markets for spay/neuter program				105.00
Amount paid to: NYS Environmental Conservation				415.70
Total State, County & Local Revenues:		\$5,404.66		
			Total Non-Local Revenues:	\$520.70

To the Supervisor:

Pursuant to Section 27, Sub 1, of the Town Law, I hereby certify that the foregoing is a full and true statement of all fees and monies received by me, Amy M. Bellardo, Town Clerk, Town of Ellicott during the period stated above, in connection with my office, excepting only such fees and monies, the application of which are otherwise provided for by law.


Supervisor

05/02/23
Date

 5/2/23
Town Clerk Date