

**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 15, 2017 at 6:30 P.M.**

Present: Supervisor McLaughlin, Councilman Tyler, Councilwoman Bowman, Councilman Nelson, Town Clerk Erlandson, Highway Superintendent Pickett, Attorney Wright. Absent: Councilman Beckerink.

Supervisor McLaughlin opened the meeting at 6:30 PM and led the Town Council in the *Pledge of Allegiance*. Town Clerk Erlandson called the roll.

**APPROVAL OF MINUTES**

**MOTION** by Councilman Nelson, seconded by Councilman Tyler to accept the minutes of the April 17, 2017 Regular Meeting, the April 27, 2017 *Special* Meeting & the May 1, 2017 *Special* Meeting as presented by the Town Clerk.

**Carried.**

**Ayes - 4**

**Noes - 0**

**Absent - 1**

**PRIVILEGE OF THE FLOOR**

**Mr. Daniel J. Heitzenrater**, Executive Assistant, *Office of Chautauqua County Executive* reported that the Chaut. Co. Executive’s office is in the process of applying for a Municipal Consolidation & Efficiency Competition (MCEC) grant being offered by New York State. He explained that Chautauqua Co. would receive \$20 million in state funding should it be awarded the grant. Six (6) counties in N.Y. State are competing for the funding. He outlined the specifics of the grant. Mr. Heitzenrater stated that part of the application process involves obtaining support from all local municipalities within Chautauqua Co. He asked the Town Council to adopt a resolution supporting the county’s application for MCEC grant funding.

**CORRESPONDENCE**

Town Clerk Erlandson read the following items into the record:

1. “Certificate of Satisfaction” from the *Chautauqua County Dept. of Real Property Services* re the 2017 Tax Warrant issued to the Town of Ellicott.
2. Notice of Public Hearing: *Village of Celoron*, Wednesday, May 17, 2017.
3. Notification from the *N.Y. State Dept. of Transportation* that it will reduce the speed limit on a section of the Gerry Levant Rd. to 45 mph. (Minutes 3/20/17 et. seq.)
4. Notification re the annual *Village of Falconer Memorial Day Parade* to be held on May 29, 2017.
5. “Certificate of Attendance” re training for temporary Board of Assessment Review member Dennis Jose.
6. Notice of tax foreclosures for properties located in the Town of Ellicott.
7. Assessor’s Report: May 2017.
8. Falconer Fire Dept. Report: April 2017.

## **TOWN OFFICER’S REPORTS**

**Councilman Nelson** reported that he is working with the Town of Ellicott Building Maintenance Supervisor to resolve a plumbing problem in the men’s restroom at the Ellicott Police Dept.

**Councilman Tyler** reported on a drainage problem on Elmwood Ave. in West Ellicott.

**Mr. Tyler** also reported that he contacted Josephine Graves re property the Town of Ellicott wishes to purchase in West Ellicott. (Minutes 10/13/16 et. seq.)

**Town Clerk Erlandson** reported that the annual “Grievance Day” for the Town of Ellicott will be held on May 23, 2017 at the Jamestown City Hall from 4:00 PM – 8:00 PM.

**Mr. Erlandson** also updated the Town Council re the conversion of streetlights in the Town of Ellicott to Light Emitting Diode (LED) fixtures. (Minutes 4/17/17)

**Mr. Erlandson** also reported that the Town of Ellicott would be conducting its annual free rabies vaccination clinic on Thursday, July 27, 2017 from 5:00 – 7:00 PM at the Ellicott Highway Garage. Dr. Mary Fales will be administering the vaccinations.

**Supervisor McLaughlin** reported that he and several other Town of Ellicott officials attended the *So. Tier West Regional Planning & Development Board* held at *Houghton College* on May 10, 2017. He discussed some of the classes he attended.

**Mr. McLaughlin** also reported that he and Town of Ellicott Code Enforcement Officer Rowe will be meeting with *Chautauqua Co. Industrial Development Agency (CCIDA)* officials next week re the extension of municipal water service along the Route 430 (Fluvanna Ave. Ext.) corridor. (Minutes 3/21/16 et. seq.)

**Mr. McLaughlin** also reported that former Town of Ellicott Councilman/Supervisor Cecil M. Miller III is moving out of the Town of Ellicott. Mr. McLaughlin thanked Mr. Miller for his many years of service to the town.

**Attorney Wright** reported on an issue involving the Woodworth Ave. “paper street” located west of Glidden Ave. in West Ellicott.

**Mr. Wright** also updated the Town Council re the status of two assessment claims against the Town of Ellicott. The claims involve *The Gerry Homes* and the *Holiday Inn Express*.

**Highway Superintendent Pickett** reported that the Ellicott Highway Dept. will begin conducting street sealing operations next week. He stated that the department intends to seal approximately 13 miles of road within the Town of Ellicott.

**Mr. Pickett** also reported that he and Supervisor McLaughlin will be meeting with officials from the *Chautauqua Lake & Watershed Management Alliance* next week to discuss the

possibility of applying for grant funding. The funding would be used to conduct an engineering study to address drainage problems in West Ellicott.

**OLD BUSINESS**

***Abandonment of Cobb Road*** – The Town Council discussed the feasibility and ramifications of abandoning Cobb Rd. (Minutes 3/20/17 et. seq.) Supervisor McLaughlin stated that he intends to meet with the Town of Gerry Supervisor to discuss a possible solution to maintaining the road. Tabled pending further review.

***Status of Condemnation Proceedings (Graves’ Properties)*** – The Town Council discussed the status of condemnation proceedings on two properties located in the Town of Ellicott owned by Josephine Graves (S-B-L #386.16-3-23 & 24). (Minutes 3/20/17) Councilman Tyler reminded the Council that he has been in contact with Ms. Graves re the matter. (see ‘Town Officers Reports’) Attorney Wright explained that if the Town of Ellicott can negotiate an agreement re the purchase of the property with Ms. Graves then the condemnation proceedings would be unnecessary. Tabled pending negotiations with Josephine Graves.

**NEW BUSINESS**

**RESOLUTION #64-17**

**Study re Consolidation of Police Departments**

**MOTION** by Supervisor McLaughlin, seconded by Councilman Tyler stipulating that the Town of Ellicott, with assistance provided by New York State and Chautauqua County, continue to pursue a study concerning the consolidation of police services between the Town of Ellicott Police Dept. and the Lakewood-Busti Police Dept.; and, further, that the Town of Ellicott agree to accept all results of the study that are consistent with the effective delivery of police services to Town of Ellicott residents.

**Adopted.**

**Ayes - 4**

**Noes - 0**

**Absent – 1**

**RESOLUTION #65-17**

**Accept Bids for New Truck and Snow Plow**

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman to accept a bid from *Fleet Maintenance, Inc.*, West Seneca, New York (per *Cattaraugus County* bid) in the amount of \$108,773.00 for a 2018 *Western Star 4700 Truck Cab and Chassis*; and, further, to accept a bid from *Henderson Products, Inc.* (per NJPA bid #080114) in the amount of \$96,618.00 for a new Henderson Plow and necessary accessories.

**Adopted.**

**Ayes - 4**

**Noes - 0**

**Absent – 1**

**RESOLUTION #66-17**

**Schedule Public Hearing re Proposed Annexation of Property**

**MOTION** by Councilman Tyler, seconded by Councilman Nelson that a joint meeting for a for a public hearing on the Petition for annexation of property located in the Town of Ellicott by the *City of Jamestown* will be held on June 12, 2017 at 7:00 PM at the Falconer Central School, 2 East Avenue North, Falconer, New York, in conjunction with the Village Board of the *Village of Falconer* and the City Council of the *City of Jamestown*. (Minutes 2/13/17 et. seq.)

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

**RESOLUTION #67-17**  
*Re-Affirm Rejection of Lead Agency Status Request by City of Jamestown*

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman re-affirming Town of Ellicott Resolution #63-17 that the Ellicott Town Council rejects a request by the *City of Jamestown* to serve as lead agency for the purpose of undertaking a coordinated review pursuant to the New York State Environmental Quality Review Act (SEQRA) in connection with and “Unlisted Action” consisting of the proposed annexation of territory located in the Town of Ellicott.

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

**RESOLUTION #68-17**  
*Payment of Claims*

**MOTION** by Councilman Tyler, seconded by Councilman Nelson to pay Abstract #9-2017 in the amount of \$44,649.09 and Abstract #10-2017 in the amount of \$110,738.37 and charge to the proper funds or accounts.

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

**MOTION** by Councilman Nelson, seconded by Councilwoman Bowman to adjourn at 7:20 PM.

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

---

Michael C. Erlandson, Town Clerk