

**Minutes of a *Special Meeting* of the
Town Council of the Town of Ellicott
held at the Administration Building,
215 S. Work Street, Falconer, N.Y. on
September 7, 2017 at 12:00 Noon.**

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

Supervisor McLaughlin opened the meeting at 12:00 PM and led the Town Council in the *Pledge of Allegiance*. Town Clerk Erlandson called the roll.

Supervisor McLaughlin explained that the purpose of this special meeting is to consider a petition by the *City of Jamestown* to annex approximately 4 acres of property located within the boundaries of the *Village of Falconer* & the Town of Ellicott. (Minutes 2/13/17 et. seq.) The property is located between South Dow Street & Tiffany Ave. He reminded the Town Council that the city, village and town each had ninety (90) days following a Public Hearing held on June 12, 2017 to make a decision on whether the annexation should proceed. Therefore, the deadline for each municipality to make a decision concerning the petition is Sept. 10, 2017. He reported that the Jamestown City Council recently voted to move ahead with the annexation. However, he stated that the *Village of Falconer* Board of Trustees voted last night to reject the annexation petition. He noted that *Village of Falconer* officials are adamantly opposed to the annexation proposal. The Council discussed the matter.

Furthermore, Supervisor McLaughlin explained that earlier this year the *City of Jamestown* requested to be designated “lead agency” for the purpose of undertaking a coordinated environmental review pursuant to the New York State Environmental Quality Review Act (SEQRA) in connection with the proposed annexation. Consequently, city officials prepared a Short Environmental Assessment Form (EAF) in conjunction with the petition for annexation. In May, 2017 the Ellicott Town Council adopted a resolution to “not consent” with the city’s request for lead agency status. (Resolutions #63-17 & #67-17) The *Village of Falconer* Board of Trustees adopted a similar resolution. The matter was subsequently submitted to the *New York State Dept. of Environmental Conservation (NYSDEC)* for a determination re the city’s request. Mr. McLaughlin reported that on August 24, 2017 the commissioner of the *NYSDEC* made a determination that the *City of Jamestown* should indeed be the lead agency for the environmental review of the proposed annexation. On August 28, 2017, *City of Jamestown* officials issued a negative declaration under SEQRA with respect to the proposed annexation – meaning that in their opinion, the proposed annexation will have no significant adverse impacts on the environment. The Ellicott Town Council has reviewed the EAF. In response to the EAF, the Council prepared an “involved agency findings statement” pursuant to the SEQRA. Mr. McLaughlin read the document.

RESOLUTION #84-17

Review of EAF re Annexation of Property by the City of Jamestown

RESOLVED: upon review of a Short Environmental Assessment Form (EAF) prepared by the *City of Jamestown* concerning the proposed annexation of property in the Village of Falconer

and Town of Ellicott, the Ellicott Town Council finds that the proposed annexation of property by the *City of Jamestown* may potentially have a significant adverse impact on the environment in accordance with the New York State Environmental Quality Review Act (SEQRA). The Town therefore does not concur with the Negative Declaration pursuant to SEQR made by the City on August 28, 2017. (see ‘Annexation of Property’ file for complete Resolution)

Adopted. Ayes - 5 Noes - 0 Absent – 0

Next, Town Clerk Erlandson read a “Resolution and Order regarding the petition by the City of Jamestown for the proposed annexation of territory located in the Village of Falconer and the Town of Ellicott”. The Town Council discussed the document.

RESOLUTION #85-17
Order to Reject Annexation of Property by the City of Jamestown

RESOLVED: upon extensive review of a petition by the *City of Jamestown*, the Town Council of the Town of Ellicott hereby rejects the annexation to the *City of Jamestown* of approximately 4 +/- acres of territory situated in the *Village of Falconer* and the Town of Ellicott. (see ‘Annexation of Property’ file for complete Resolution)

Adopted. Ayes - 5 Noes - 0 Absent – 0

MOTION by Councilman Tyler, seconded by Councilman Nelson to adjourn at 12:39 PM.

Carried. Ayes - 5 Noes - 0 Absent - 0

Michael C. Erlandson, Town Clerk