

**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  
October 16, 2017 at 6:30 P.M.**

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

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 Tyler, seconded by Councilwoman Bowman to accept the minutes of the September 18, 2017 Regular Meeting as presented by the Town Clerk.

**Carried.**

**Ayes - 4**

**Noes - 0**

**Absent - 1**

**PRIVILEGE OF THE FLOOR**

**Richard Adams**, 3499 Lake St. explained that his neighbor recently removed his dock and stacked it in such a manner that Mr. Adams' view of the lake has been obstructed. He stated that the Town of Ellicott Code Enforcement Officer informed him that there is nothing in the Ellicott Town Code that addresses such a situation. Mr. Adams asked the Town Council to look into amending the code.

**Michelle Vanguilder**, 20 N. Butts Ave. expressed concern re the *Community Eye Care Specialists* property located at 462 Fairmount Ave. across the street from her home. Mrs. Vanguilder explained that the owner of the property has yet to erect a fence on the east side of the property along N. Butts Ave. She also noted that a "right turn only" sign was supposed to be put up at the exit of the doctor's office parking lot to prohibit vehicular traffic from turning left onto N. Butts Ave. To date, the sign has not been installed. She pointed out that these conditions were stipulated in the original site plan for the project which was approved more than a year ago by the Town of Ellicott Planning Board. She asked the Town Council for assistance in addressing the matter. Supervisor McLaughlin stated that he will direct the Code Enforcement Officer to notify the property owner that he is in violation of the site plan.

**CORRESPONDENCE**

Town Clerk Erlandson read the following items into the record:

1. Letter from *Southwestern Central School District* re its plans to undertake a capital project.
2. Letter from the *New York State Association of Towns* re its annual training school to be held in New York City in February 2018.

3. Notification re an application for liquor license at *La Cucina Della Nonna* Restaurant, 679 Fairmount Ave.
4. Falconer Fire Dept. Report: September 2017.

### **TOWN OFFICER'S REPORTS**

**Councilman Tyler** reported that he received calls from two residents in West Ellicott re drainage issues. Highway Superintendent Pickett stated that he would look into it.

**Supervisor McLaughlin** reported that the *Chautauqua Lake Partnership* has requested a meeting with the Town Council to discuss its plans for obtaining an herbicide permit from the *New York State Dept. of Environmental Conservation* in 2018. The purpose of the permit is to control invasive weed growth in the *Burtis Bay* area of *Chautauqua Lake*. Mr. McLaughlin stated that he will schedule the meeting for sometime in November 2017.

**Highway Superintendent Pickett** reported that the Ellicott Highway Dept. will begin conducting leaf pickup operations on Monday, Oct. 23.

### **OLD BUSINESS**

*Status re Purchase of Properties in West Ellicott (Graves' Properties)* – Tabled pending discussion with property owner.

*Purchase of Tandem Axle Vehicle w/ Dump Body* – Highway Superintendent Pickett reported that he has received a price quote for a new tandem axle vehicle for the Town of Ellicott Highway Dept. (Minutes 9/18/17) He stated that the total cost of the vehicle including the dump body will be \$180,555.00. (Truck - \$136,903.00/dump body - \$43,652.00) Mr. Pickett added that he is also looking into the possibility of adding a theme logo to the truck. He is considering a childhood cancer theme utilizing the “Kallie’s Crusade” logo. He asked the Council for permission to purchase the vehicle. He anticipates that the vehicle will arrive in May 2018. Mr. Pickett noted that he has allocated \$100,000.00 in his 2018 budget for the purchase of the vehicle.

### **RESOLUTION #91-17**

#### **Purchase of Tandem Axle Truck with Dump Body**

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman authorizing the Ellicott Highway Superintendent to purchase a 2018 *International HX620* tandem axle vehicle for the amount of \$136,903.00 and a *Henderson* dump body for the amount of \$43,652.00.

**Adopted.**

**Ayes - 4**

**Noes - 0**

**Absent – 1**

### **NEW BUSINESS**

### **RESOLUTION #92-17**

#### **Bond Anticipation Note Renewal (Highway Improvements)**

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman authorizing the renewal of a Bond Anticipation Note in the amount of \$36,400.00 for improvements to Westminster Drive, Yolande Avenue, Canterbury Road, Moon Road & Palm Road in the Town of Ellicott. (see 'BAN' file for detail)

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

**Preliminary Budget** – Supervisor McLaughlin stated that the Town of Ellicott Preliminary Budget for fiscal year 2018 has been completed. He asked the Town Council to thoroughly review the proposed budget. He also reminded the Town Council that a Public Hearing needs to be scheduled prior to adoption of the final budget.

**MOTION** by Supervisor McLaughlin, seconded by Councilman Tyler to schedule a Public Hearing for November 9, 2017 at 6:00 PM regarding the Town of Ellicott Preliminary Budget for fiscal year 2018.

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

**RESOLUTION #93-17**

Payment of Claims

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman to pay Abstract #17-2017 in the amount of \$31,135.48 and Abstract #18-2017 in the amount of \$81,420.75 and charge to the proper funds or accounts.

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

**RESOLUTION #94-17**

Executive Session (Negotiations with City of Jamestown)

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman to convene Executive Session for the purpose of discussing negotiations pertaining to a new Water & Sewer Agreement with the *City of Jamestown*. 7:06 PM – 7:15 PM

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

**MOTION** by Councilman Tyler, seconded by Councilwoman Bowman to adjourn at 7:15 PM.

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

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Michael C. Erlandson, Town Clerk