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 21, 2018 at 6:00 P.M.

Present: Supervisor McLaughlin, Councilwoman Bowman, Councilwoman Whitmore, Councilman Heitzenrater, Town Clerk Erlandson, Highway Superintendent Pickett, Highway Superintendent Pickett, Attorney Duncanson. Absent: Councilman Tyler.

Supervisor McLaughlin opened the meeting at 6:00 PM and led the Town Council in the *Pledge of Allegiance.* Town Clerk Erlandson called the roll.

APPROVAL OF MINUTES

MOTION by Councilwoman Bowman, seconded by Councilwoman Whitmore to accept the minutes of the April 16, 2018 Regular Meeting as presented by the Town Clerk.

Carried. Ayes - 4 Noes - 0 Absent - 1

CORRESPONDENCE

Town Clerk Erlandson read the following items into the record:

1. Notification re the annual *Village of Falconer Memorial Day* Parade to be held on May 28, 2018.
2. "Certificate of Attendance" re training for Board of Assessment Review members Dennis Jose & Jean Lloyd.
3. "Certificate of Satisfaction" from the *Chautauqua County Dept. of Real Property Services* re the 2018 Tax Warrant issued to the Town of Ellicott.
4. Notification re the *"4 Four 44"* relay race that will pass through the Town of Ellicott on September 9, 2018.
5. Letter from Pamela Thorson, 2751 Brown St. expressing concern re bonfires at 2767 Bentley Ave.
6. Letter from New York State Senator Catherine Young requesting local officials to support her efforts to reform sentencing and parole processes for violent crimes.
7. Notification from *New York State Dept. of State* that Town of Ellicott Local Law #3-2018 has been received & filed.
8. Notice re the *Chautauqua Lake Partnership* 2018 Memorial Day rally to be held on Saturday, May 26, 2018 in Bemus Point, NY.
9. *Jamestown Board of Public Utilities* Annual Water Quality Report for 2017.

TOWN OFFICER'S REPORTS

Supervisor McLaughlin reported that he and Highway Superintendant Pickett attended the annual Local Government Conference sponsored by *So. Tier West Regional Planning & Development. Board* at *Houghton College* on May 9, 2018.

Mr. McLaughlin also reported that he intends to meet soon with *Chautauqua County* Executive George Borello to discuss the status of "paper streets".

Mr. McLaughlin also reported that he and several other town officers will be meeting with *Jamestown Board of Public Utilities* officials this Wednesday, May 23, 2018 at 10:00 AM to continue negotiations re a new water and sewer agreement with the *City of Jamestown*. (Minutes 8/21/17 et. seq.)

Town Clerk Erlandson reported that the new panic alarm security system for the Ellicott Administration Bldg. has been installed and is operational. (Minutes 3/19/18)

OLD BUSINESS

RESOLUTION #64-18
Accept Findings Statement for Herbicide Application

MOTION by Councilman Heitzenrater, seconded by Councilwoman Bowman to accept the findings statement re the application of herbicides to *Chautauqua Lake*. as outlined in the final Supplemental Environmental Impact Statement (SEIS) in accordance with the New York State Environmental Quality Review Act (SEQRA). (Minutes 3/1/18 et. seq.) (See *'Chautauqua Lake Partnership'* file for complete resolution)

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

NEW BUSINESS

No New Business.

RESOLUTION #65-18
Payment of Claims

MOTION by Councilwoman Whitmore, seconded by Supervisor McLaughlin to pay Abstract #8-2018 in the amount of $192,643.20, Abstract #9-2018 in the amount of $14,097.50 and Abstract #10-2018 in the amount of $109,808.15 and charge to the proper funds or accounts.

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

RESOLUTION #66-18
Executive Session (Pending Litigation)

MOTION by Supervisor McLaughlin, seconded by Councilman Heitzenrater to convene Executive Session for the purpose of discussing two (2) pending litigation matters. 6:12 PM – 6:37 PM

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

RESOLUTION #67-18
Deny Request to Amend Stipulation Agreement (The Gerry Homes)

MOTION by Councilwoman Bowman, seconded by Councilman Heitzenrater to deny a request by *The Gerry Homes Inc.* to amend the settlement agreement previously approved by the Ellicott Town Council on February 12, 2018 (Resolution #47-18) to allow *The Gerry Homes Inc.* to convert one of its assisted living facilities to a skilled nursing facility and retain its partial tax exemption.

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

RESOLUTION #68-18
Authorize Supervisor to Sign Stipulation Agreement (Town of Ellicott vs. Crooks)

MOTION by Councilwoman Whitmore, seconded by Councilman Heitzenrater authorizing the Ellicott Town Supervisor to sign a stipulation agreement in conjunction with the *Town of Ellicott v. Crooks* litigation.

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

MOTION by Councilwoman Bowman, seconded by Councilman Heitzenrater to adjourn at 6:40 PM.

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

_____
Michael C. Erlandson, Town Clerk