

Agenda
REGULAR MEETING OF THE ELLICOTTVILLE TOWN BOARD
Wednesday, September 16, 2026
at 6:00pm at the TOWN HALL

Call to Order and Pledge to Flag

Privilege of the Floor

Approve Minutes

- Regular Meeting – August 19, 2026

Audit of Claims

- Pay Town bills on Distribution Report #09--2026

Supervisor's Reports

- Accept Supervisor's Financial Report
- Supervisor's Meeting – 8/20/26 – Napoli
- 2027 Budget Work Session
- 2024 - 2025 Clerk Audit
- EMS Meeting – 8/25/26 – West Valley

Present Written Department Reports for Approval

- Clerk's, Justice, Building Inspector, Police, Engineers and Planners Reports

Department Heads

Jim Bouchard – Police

Scot Brumagin – Highway Department

Kelly Fredrickson – Code Enforcement Department

Greg Keyser – Planning Department

- Little Valley Code Enforcement IMA – Authorize Supervisor to Sign
- IT Manage Services RDF – Retroactive Approval of Addendum 1

Ben Gross – Engineering Department

New Business

- Town of Ellicottville Employee Promissory Note

Old Business

- Road Bonding Policy
- EVGV Trail

Correspondence

Attorney/Client Privilege/Executive Session

**DRAFT MINUTES OF THE REGULAR MEETING OF THE TOWN BOARD OF THE
TOWN OF ELLICOTTVILLE, August 19, 2026 at 6:00 PM HELD AT TOWN HALL**

<u>Present:</u>	Matthew McAndrew	Supervisor
	John Zerfas	Councilman
	Steve Crowley	Councilman
	Greg Fitzpatrick	Councilman
	Tracy Rozler	Town Clerk
	Ben Gross	Engineer
	Seth Pullen (via phone)	Attorney for the Town
	Scot Brumagin	Highway Superintendent
	Greg Keyser	Planner
	Kelly Fredrickson	Code Enforcement Officer
	Harry Weissman	Assessor

Also present: Julie Bachan & Terry Falsone

Call meeting to order:

Supervisor McAndrew called the meeting to order and led the Pledge to the Flag.

Open Public Hearings

- Local Law No. 4 – entitled
“A Local Law Regulating Security Responses and Establishing Fees for
Repeated False Alarms”

Privilege of the Floor

- Harry Weissman, Assessor

Harry Weissman discussed the two Article 7 tax assessment cases the Town has. He states one has some merit and the other does not. Weissman also stated the Town should hire Speno Macleod, PLLC for representation.

On motion by Mr. Zerfas and second by Mr. Fitzpatrick to enter into Executive Session:

Accepted Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zerfas
 Nays 0

On Motion by Mr. Fitzpatrick and second by Mr. Zerfas to approve Speno Macleod, PLLC to represent the Town in the Article 7 tax assessment cases:

Accepted Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zerfas
 Nays 0

On motion by Mr. Crowley and second by Mr. Zerfas to close Executive Session:

Accepted: Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

- Speed Limit - Julie Bachan & Terry Falsone (Maples Road)

Ms. Bachan and Ms. Falsone wanted an update on reducing the speed limit on Maples Road. Ben Gross stated he has been in contact with the County and State and is still waiting for a response to meet. The Board encouraged residents to contact our State Assembly members and State Senators to request that the State reevaluate the current speed limit. Scot Brumagin also added that the Town would like to see the speed limit change.

Approve Minutes

- Regular Meeting – July 15, 2026

On motion by Mr. Zerfas and second by Mr. Crowley the minutes of the July 15, 2026 meeting were:

Accepted Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Audit of Claims

- Pay Town bills on Distribution Report #08 – 2026

On motion by Mr. Crowley and second by Mr. Fitzpatrick the following resolution was

Accepted Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Resolved that the Town bills be paid on General Ledger Distribution Report 08 – 26 as follows:

001 – General Fund A:	\$38,648.90		
002 – General Fund B:	\$6,266.32		
		General Fund Total:	\$44,915.22
004 – Highway DB:	\$52,871.16		
		Highway Fund Total:	\$52,871.16
006 – Water:	\$143,816.63		

Water Fund Total: \$143,816.63

Grand Total: \$241,603.01

Supervisor's Reports

- Accept Supervisor's Financial Report

On motion by Mr. Crowley and second by Mr. Zervas the Supervisor's Financial Report was:

Accepted Ayes 4 – McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

- EMS Meeting – Supervisor McAndrew attended an EMS meeting on July 21, 2026 at the Great Valley Fire Hall regarding county-wide EMS statistics. He stated the State is mandating the County to create an EMS plan. The next meeting will be in West Valley on August 25, 2026 at 6:30 pm and is for District 5 only. The deadline for the County EMS plan to be turned into the State is December 19, 2026.
- 2027 Budget – Supervisor McAndrew reminded Department Heads that the budget worksheets are due September 18, 2026 and budget workshops will be scheduled.
- Windows & Doors Update – Supervisor McAndrew received a phone call from Senator Borello's office stating that the windows and doors are still an active SAMS Grant. They wanted an update. Estimates have been submitted to his office.

Present Written Department Reports for Approval

- Clerk's, Police, Justice, Planners, Engineers and Building Inspector's Reports

On motion by Mr. Crowley and second by Mr. Zervas the Clerk's, Police, Justice, Planning, Engineer, and Building Inspector's reports were:

Accepted Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

Department Heads

Jim Bouchard – Police – Absent

OIC Bouchard sent a report summarizing the department's activity:

OIC stated that the police department has been extremely busy and call volume and arrest activity has increased. He also commended and thanked our officers for their commitment to the Town and Village community.

Personnel Commendation: Officer Barber and Officer Rowland were recognized for outstanding work on a significant narcotics seizure. OIC Bouchard also recognized CCSO who assisted our officers with the arrest.

There was a motorcycle dice run held to benefit the Dayton Food Pantry. OIC Bouchard received a letter of appreciation from the motorcycle club recognizing Officer Rozler for providing traffic assistance during the event. OIC Bouchard expressed his appreciation for our officers being actively involved in events that support our local community and charitable organizations.

Bike Patrol: Officer Graham has been conducting bike patrols and will continue community policing efforts, weather permitting.

Grant: OIC Bouchard has completed and submitted a grant application through NY State's Law Enforcement Technology program. Receiving this grant would allow the department to purchase needed equipment to improve our department's capabilities and services to the community.

Rock n Roll Weekend: During the car show the department will have an additional officer assigned to foot patrol throughout the Village.

Scot Brumagin – Highway Department

Scot stated the following:

- The new tractor works great and saves a couple days of mowing.
- The floor drain is up and running.
- The shop floor has been sealed.
- Millings were spread in parking lot to keep the dust down.
- Highway is skid paving on Poverty Hill.
- Highway is patching on nice days.
- Highway fixed a bad spot on Holiday Valley Road and shouldered the whole road.
- Highway fixed two bad driveway culverts on Poverty Hill Road and Hebdon Road.
- New Fuel System has arrived
- Highway employees are waiting for training date. Hopefully it will be up and running by the end of the week.
- Bryant Hill Road railroad crossing should be completed in September.
- The new excavator came in, but the mower is not compatible with it. It would cost \$4,000 to make it compatible, but a new Blue Diamond mower would fit and costs \$10,000. Scot asked permission to buy the mower.

On motion by Mr. Crowley and second by Mr. Zerfas to purchase a new Blue Diamond mower:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Scot stated that this is the 7th year with the one ton truck. Purchasing a new one was held off last year. Scot is switching to Viking Ives because they are \$25,000 - \$30,000 less expensive than Valley Fab. Scot asked permission to purchase a new one ton truck that costs \$70,000 - \$85,000. It will not be delivered until next year.

On motion by Mr. Zerfas and second by Mr. Fitzpatrick to purchase a new one ton truck:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Scot discussed problems with overweight trucks driving on Town roads and damaging them. His biggest concern is overweight trucks driving on the Town's roads to avoid penalties due to expired stickers, etc. Board members stated we can't ban trucks from driving the roads. Seth suggested a No-thru Truck sign.

Resolved to approve No-thru Truck signage on Town roads.

On motion by Mr. Crowley and second by Mr. Fitzpatrick:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Kelly Fredrickson – Code Enforcement Department

Kelly stated the following:

- He has been contacting STR companies that don't have licenses and are still advertising
- He ran into a glitch with the Granicus software; it's not allowing letters to be sent.
- Currently, there are 308 STR licenses.
- He's receiving occasional calls from people wanting to short-term rent.

Greg Keyser – Planning Department

Greg stated the following:

- 1 Vacancy on ZBA
- The computers are set up in the Highway Department.
- Cyber insurance questionnaire has been completed.
- Battery Storage & Data Center committee will be Jake Northrup, Jonathan Sklar, Matt McAndrew and John Zerfas.

Supervisor McAndrew asked Greg to reach out to the Planning Board members to see if they know anybody that would be interested in being a board member of the ZBA. Greg stated he would reach out to the Planning Board and ZBA members.

RFP for Consolidated Services: The goal is to improve coordination and move away from the current use of multiple, separate service providers. Interested companies are Hurricane, Great Lakes, AIS, Charles Galante, ACME, and Synchronet. Greg will run ad in the paper. Seth stated he would like the RFP to clarify it's purely services under #6. Greg will edit as requested.

On motion by Mr. Fitzpatrick and second by Mr. Zerfas to send out edited RFP to papers for Consolidated Services:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

Little Valley IMA: Greg reported that he had several meetings with the Village of Little Valley regarding shared services. The Village Mayor did not wish to include all of the services that were presented. At this time, the Village is interested in Building Inspection and Fire Inspection services through the end of the year. The cost will be \$65.00 per hour, as needed. Seth requested that the Inter-municipal Agreement (IMA) be clarified to allow the Deputy Code Inspector to perform duties under the agreement as well. Greg will make the requested revisions to the IMA.

Ben Gross – Engineering Department

Ben stated the following:

- There are no more leaks on Washington Street and replaced one new valve.
- There was a leak at Elk Street which was addressed and repaired.
- Crane Road is \$500 per parcel and Kruse Road is \$400 per parcel. We are still projecting the bid to be November or December and anticipating construction in the spring.
- **EV Charging Stations:** The Board discussed the availability of a NYSEERDA rebate of \$3,000 per charging station per year. Parkside Drive is eligible for the program. Any new charging stations would need to be installed prior to removing the existing stations. The proposed new stations would be Level 2 chargers, and users would be charged a fee for their use. It was noted that 200 amps of electrical service would be required to supply the equipment serving the charging units. Bryant Hill Road is located within a disadvantaged community zone, which may provide additional program benefits. The State would cover the installation and maintenance costs. The Town would be required to share the revenue generated by the charging stations with the State on a 50/50 basis.
- Ben attended a Highway Superintendents' meeting last Thursday and discussed the possibility of shared engineering services. There was no interest from the attendees at this time. Due to the large number of people at the meeting, Ben

was advised to attend a smaller meeting where he could further discuss the potential for shared engineering services.

New Business

- Accept Robyn George Resignation – Retirement

On motion by Mr. Crowley and second by Mr. Zervas:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

- Appoint Tracy Rozler as Town Clerk

On motion by Mr. Zervas and second by Mr. Fitzpatrick:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

Appoint Tracy Rozler Registrar of Vital Records and Erica Linderman Deputy Registrar

On motion by Mr. Crowley and second by Mr. Fitzpatrick:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

- Approve adding Erica Linderman as signatory on Clerk's/Tax account

On motion by Mr. Zervas and second by Mr. Fitzpatrick:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

- Appoint Tracy Rozler Records Management Officer

On motion by Mr. Crowley and second by Mr. Zervas:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

- Local Law No. 4 – entitled

“A Local Law Regulating Security Responses and Establishing Fees for Repeated False Alarms”

On motion by Mr. Crowley and second by Mr. Zervas to close the public hearing on Local Law No. 4:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

Resolved to close the public hearing on Local Law No. 4 – 2026.

On motion by Mr. Crowley and second by Mr. Fitzpatrick the following local law was passed:

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

Town of Ellicottville

Local Law No. 4 of 2026

A Local Law Regulating Security Alarm Responses and Establishing Fees for Repeated False Alarms

Be it enacted by the Town Board of the Town of Ellicottville, County of Cattaraugus, State of New York, as follows:

Section 1. Legislative Intent

The Town Board of the Town of Ellicottville finds that excessive false alarms from commercial and residential security alarm systems create unnecessary demands on law enforcement and emergency response resources. The purpose of this local law is to reduce repeated false alarms and to recover a portion of the costs incurred by the Town and the Ellicottville Joint Fire District for responding to such alarms. This local law is intended to supersede and replace the previous Local Alarm Law adopted as Local Law No. 3 of 2015.

Section 2. Definitions

For the purposes of this Local Law, the following terms shall have the meanings indicated:

A. Alarm System

Any device or assembly of equipment designed to signal the occurrence of an emergency requiring police, fire, or emergency services response, including intrusion alarms, panic alarms, burglary alarms, or similar systems installed on residential or commercial property.

B. False Alarm

Any alarm signal resulting in a response by law enforcement or emergency personnel where no actual emergency, criminal activity, fire, or hazardous condition exists. The definition of false alarm is also intended to include such responses to a phone call or 911 call made by a property owner, tenant, manager or monitoring company based on any electronic device or the failure of any electronic device. False alarms shall include alarms caused by malfunction, improper installation, negligence, user error, or failure to maintain the system.

False alarms shall not include alarms caused by:

1. Verified criminal activity, attempted criminal activity, fire, or other confirmed emergencies for which the system was designed to alert;
2. Other circumstances determined by the Town to be beyond the reasonable control of the owner or occupant.
3. Calls by a natural person reasonably relying on their own observations at a property to call for police, fire or other emergency response.

C. Alarm User

Any person, business, property owner, tenant, lessee, or occupant who owns, leases, occupies, controls, or uses premises protected by an alarm system. Where an alarm site is a rental unit, the owner of the Alarm Site shall be deemed the Alarm User.

D. Fire Department

The fire department which has responsibility for the territory encompassed by the Town of Ellicottville and part of the Town of Mansfield and is dispatched by Cattaraugus County Communications Center; this may include nearby community departments dispatched in mutual aid.

F. Police Department

The Town of Ellicottville Police Department, Cattaraugus County Sheriff's Department, New York State Police, or police agency dispatched by Cattaraugus County Communications Center.

G. Responding Unit

The unit dispatched by the Cattaraugus County Communications Center to respond to the Alarm, including, but not limited to, the Fire Department, the Town of Ellicottville Police Department, the Cattaraugus County Sheriff's Department, or the New York State Police.

Section 3. Fees for Repeated False Alarms

A. Basis for Fees. After the Town of Ellicottville Police Department, the Cattaraugus County Sheriff's Office, or other emergency response agencies responding on behalf of the Town have responded to a combined total of three (3) false alarms from the same alarm system during a calendar year, the Town may assess fees for each subsequent false alarm occurring during that same calendar year. These fees are intended to offset the expense and burden of responding to false alarms, as well as to incentivize alarm owners to prevent false alarms.

B. The fees shall be assessed as follows:

1. Fourth false alarm in a calendar year: One Hundred Fifty Dollars (\$150.00);
2. Fifth false alarm in a calendar year: Two Hundred Dollars (\$200.00);
3. Sixth and each subsequent false alarm in a calendar year: Four Hundred Dollars (\$400.00)

C. Officials responsible for levying fees. The Town Clerk, Code Enforcement Officer, or other designated officials shall mail a notice of the fee to the alarm user or property owner.

Section 4. Payment of Fees

A. Payment shall be due within thirty (30) days from the date of mailing of the notice.

B. If payment is not received within thirty (30) days, the Town may send a final notice by certified mail advising the alarm user and property owner, if different, that failure to pay may result in:

1. The assessment of the unpaid amount upon the real property tax bill as authorized by New York State law;
2. Civil collection proceedings; or
3. Any other remedy authorized by law.

C. Unpaid charges may be levied against the property and collected in the same manner as Town taxes, to the extent permitted by law.

Section 5. Appeals

A. Any alarm user receiving a false alarm fee notice may appeal the determination to the Town Board within twenty (20) days of the mailing of the notice.

B. The appeal shall be submitted in writing and shall state the reasons why the alarm should not be considered a false alarm.

C. The Town Board may affirm, modify, or dismiss the fee after reviewing the appeal.

Section 6. Administration

The Town Board may designate the Town Clerk, Code Enforcement Officer, Police Department, Fire Department, or another Town official to administer and enforce this Local Law.

Section 7. Severability

If any section, subsection, sentence, clause, phrase, or provision of this Local Law is declared invalid or unconstitutional by a court of competent jurisdiction, such decision shall not affect the validity of the remaining portions of this Local Law.

Section 8. Effective Date

This Local Law shall take effect immediately upon filing with the New York State Department of State in accordance with the Municipal Home Rule Law.

Old Business

- Phone Policy

Resolved to pass the Phone Policy.

On motion by Mr. Crowley and second by Mr. Fitzpatrick to approve the phone policy

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zervas
Nays 0

Town of Ellicottville

Employee Personal Mobile Phone Purchase & Payroll Deduction Policy

1. Purpose

This policy establishes procedures for Town of Ellicottville employees to obtain personally owned mobile phones and service plans through the Town's purchasing process, with the employee reimbursing the Town through payroll deductions. The goal is to provide employees with access to reliable communication tools while ensuring proper stewardship of public funds.

2. Eligibility

Eligibility is reviewed at the time of each purchase request. An employee may participate in this program when:

- a. The employee requests to purchase a personal mobile phone and/or service plan through the Town.
- b. The department head confirms that the employee's job duties reasonably require regular mobile phone communication.
- c. The Town Supervisor approves the request.
- d. The employee agrees in writing to payroll deductions until the full cost of the phone is repaid, and for all expenses incurred in connection with the phone and its usage.

3. Allowable Purchases

The Town may purchase the following on behalf of an eligible employee:

- a. A mobile phone selected by the employee, subject to reasonable cost limits set by the Town Board.
- b. A mobile phone service plan, including data, text, and voice services for the employee. This is intended to be a phone plan used only by the employee and their spouse and dependents.
- c. The phone and service plan obtained under this policy are personal to the employee and not Town property.
- d. The Town will allow Village of Ellicottville employees who work with the Town Water District to participate in this program, but only for the limited purpose of purchasing a single mobile phone and service for said phone, to be used solely by the employee.

4. Repayment Terms

- a. Repayment for the phone must be completed within 12 months, unless otherwise approved by the Town Board.
- b. The Town will not charge interest.
- c. Employees may prepay or pay off the remaining balance at any time.
- d. Failure to make required payments may result in suspension from the program.

5. Employee Responsibilities

Employees participating in this program must:

- a. Maintain active service on the device.
- b. Ensure the device is available during work hours and on-call periods, if applicable.

- c. Pay all costs not covered by the Town's initial purchase (e.g., overages, accessories, service charges, device insurance, etc.).
- d. Notify the Town immediately if the device is lost, stolen, or damaged.
- e. Understand that the Town is not responsible for personal data, privacy, or device maintenance.

6. Town Responsibilities

The Town will:

- a. Process approved purchases in accordance with procurement policies.
- b. Maintain documentation of all payroll deduction agreements.
- c. Ensure compliance with NYS municipal finance and payroll laws.
- d. Stop deductions once the full amount has been repaid.

7. Termination of Participation

Participation may be terminated when:

- a. The employee completes repayment and is not continuing to obtain service through the Town.
- b. The employee leaves Town employment.
- c. The employee fails to comply with this policy.
- d. The Town Board discontinues or modifies the program.
- e. Any outstanding balance becomes immediately due upon termination of employment.

8. Effective Date

This policy takes effect upon adoption by resolution of the Town Board of the Town of Ellicottville.

- NY Association of Towns Bill of Rights

**TOWN OF ELLICOTTVILLE
CATTARAUGUS COUNTY, NEW YORK
EXTRACT OF MINUTES**

A meeting of the Town Board of the Town of Ellicottville, NY was convened in public session in the town, on August 19, 2026 at 6:00pm.

The meeting was called to order by Supervisor McAndrew.

Town Board members were present: Matthew McAndrew, Supervisor
 Steven Crowley, Councilman
 John Zervas, Councilman
 Greg Fitzpatrick, Councilman

Also present: Tracy Rozler, Town Clerk

The following resolution was offered and approved:

**A RESOLUTION IN SUPPORT OF THE NEW YORK ASSOCIATION OF TOWNS
BILL OF RIGHTS**

Introduced by Councilmember Fitzpatrick; seconded by Councilmember Zervas

WHEREAS, town government provides services essential to the vitality of New York State, including but not limited to maintaining and repairing roads, protecting neighborhoods and businesses, guiding economic development, and serving as the first line of defense, communication, and safety for residents every day of the year; and

WHEREAS, the 933 towns of New York State are home to more than 9.1 million New Yorkers and are diverse in population, geography, and demographics, such that decisions affecting daily life are best made at the local level by the government that best understands each community's character, challenges, and needs; and

WHEREAS, the towns of New York are partners in shaping the State's future, and a true partnership between the State and its local governments will propel the New York State Forward to the benefit of all New Yorkers; and

WHEREAS, the New York Association of Towns has adopted a *Bill of Rights* articulating the core principles that should govern the relationship between the State and its towns; and

WHEREAS, The Town of Ellicottville shares and affirms those principles, namely:

1. **Protection and defense of municipal home rule**, recognizing that towns, as the level of government closest to the people, are best positioned to balance competing interests and make decisions that shape daily life;
2. **Local control of land use and zoning**, free from statewide zoning rules that override the voice of resident taxpayers and the officials they elect;
3. **Modernized transparency, accessibility, and engagement**, including reform of outdated public-notice requirements that consume scarce municipal dollars on print notices often missed by the public; and
4. **A meaningful voice in State decisions** affecting the hometowns that towns govern, so that town government is treated as a true partner rather than an afterthought or a hurdle to clear; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ellicottville hereby endorses and adopts the New York Association of Towns Bill of Rights and affirms its commitment to the principles set forth therein; and be it further

RESOLVED, THAT THE Town Board calls upon the Governor and the New York State Legislature to respect and uphold these principles in the enactment of legislation and the administration of State programs affecting towns; and be it further

RESOLVED, that the Town Clerk is hereby directed to transmit certified copies of this resolution to the Governor of the State of New York, the Temporary President of the Senate, the Speaker of the Assembly, the State Senator and Member of the Assembly representing the Town of Ellicottville, and the New York Association of Towns.

The resolution was put to a vote with the following results:

Ayes: Supervisor McAndrew
Councilmember Crowley
Councilmember Fitzpatrick
Councilmember Zerfas

Nays: 0

CERTIFICATE OF RECORDING OFFICER

The undersigned hereby certifies that: Tracy Rozler

1. She is the duly qualified and acting Clerk of the Town of Ellicottville, Cattaraugus County, New York (hereinafter called the "Town") and the custodian of the records of the Town, including the minutes of the proceedings of the Town Board of the Town, and is duly authorized to execute this certificate.
2. Attached hereto is a true and correct copy of the resolutions duly adopted at a meeting of the Town Board held on August 19, 2026

3. Such meeting was duly convened and held and such resolution was duly adopted in all respects in accordance with law and the regulations of the Town. To the extent required by law or such regulations, due and proper notice of such meeting was given. A legal quorum of members of the Town Board was present throughout such meeting, and a legally sufficient number of members voted in the proper manner for the adoption of the resolution. All other requirements and proceedings under law, such regulations, or otherwise, incident to such meeting and the adoption of the resolution, including any publication, if required by law, have been duly fulfilled, carried out and otherwise observed.
4. The seal appearing below constitutes the official seal of the Town and was duly affixed by the undersigned at the time this certificate was signed.

IN WITNESS WHEREOF, the undersigned has hereunto set her hand on August 20, 2026.

(SEAL)



Town Clerk

A RESOLUTION IN SUPPORT OF THE NEW YORK ASSOCIATION OF TOWNS BILL OF RIGHTS

Introduced by Councilmember Fitzpatrick; seconded by Councilmember Zerfas

WHEREAS, town government provides services essential to the vitality of New York State, including but not limited to maintaining and repairing roads, protecting neighborhoods and businesses, guiding economic development, and serving as the first line of defense, communication, and safety for residents every day of the year; and

WHEREAS, the 933 towns of New York State are home to more than 9.1 million New Yorkers and are diverse in population, geography, and demographics, such that decisions affecting daily life are best made at the local level by the government that best understands each community's character, challenges, and needs; and

WHEREAS, the towns of New York are partners in shaping the State's future, and a true partnership between the State and its local governments will propel the New York State Forward to the benefit of all New Yorkers; and

WHEREAS, the New York Association of Towns has adopted a *Bill of Rights* articulating the core principles that should govern the relationship between the State and its towns; and

WHEREAS, The Town of Ellicottville shares and affirms those principles, namely:

1. **Protection and defense of municipal home rule**, recognizing that towns, as the level of government closest to the people, are best positioned to balance competing interests and make decisions that shape daily life;
2. **Local control of land use and zoning**, free from statewide zoning rules that override the voice of resident taxpayers and the officials they elect;
3. **Modernized transparency, accessibility, and engagement**, including reform of outdated public-notice requirements that consume scarce municipal dollars on print notices often missed by the public; and
4. **A meaningful voice in State decisions** affecting the hometowns that towns govern, so that town government is treated as a true partner rather than an afterthought or a hurdle to clear; now, therefore, be it

RESOLVED, that the Town Board of the Town of Ellicottville hereby endorses and adopts the New York Association of Towns Bill of Rights and affirms its commitment to the principles set forth therein; and be it further

RESOLVED, THAT THE Town Board calls upon the Governor and the New York State Legislature to respect and uphold these principles in the enactment of legislation and the administration of State programs affecting towns; and be it further

RESOLVED, that the Town Clerk is hereby directed to transmit certified copies of this resolution to the Governor of the State of New York, the Temporary President of the Senate, the Speaker of the Assembly, the State Senator and Member of the Assembly representing the Town of Ellicottville, and the New York Association of Towns.

The resolution was put to a vote with the following results:

Ayes 4: Supervisor McAndrew
Councilmember Crowley
Councilmember Fitzpatrick
Councilmember Zerfas

Nays: 0

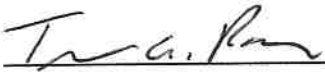
- EVGV Trail – Seth is looking into the check we mailed to Genesee Wyoming Railroad that has not been cashed. There was no meeting this month.

Adjournment

Motion by Mr. Crowley and second by Mr. Zerfas to adjourn the meeting at 8:20 PM.

Accepted: Ayes 4 - McAndrew, Crowley, Fitzpatrick & Zerfas
Nays 0

I, Tracy A. Rozler, Clerk of the Town of Ellicottville, County of Cattaraugus, State of NY, do hereby certify that the foregoing constitutes the complete minutes of the Town Board Meeting held on the 19th day of August 2026, approved by said Board on the 19th day of August 2026.



Tracy A. Rozler – Town Clerk

VILLAGE PERMITS ISSUED JANUARY THRU AUGUST 2026

PERMIT #	INTAKE DATE	ISSUED DATE	PARCEL #	SERVICE ADDRESS	OWNER	TYPE OF PROJECT	TOWN OR VILLAGE	TOTAL PERMIT COST	PROJECT DESCRIPTION
BP26-0003	1/20/26	1/21/26	55.027-2-1.5	15 Van Buren	15 North Oak LLC,	BUILDING	Village	\$256.00	partial garage conversion
BP26-0006	2/13/26	2/16/26	55.036-1-3.3/13	13 Abbey	Kidd, James M.	BUILDING	Village	\$106.00	home battery backup system
BP26-0007	2/17/26	2/17/26	55.036-2-26.2	7 Park	Accarate, Miguel	BUILDING	Village	\$147.00	Repair foundation
BP26-0004	2/9/26	3/4/26	55.035-3-34	32 Washington	SRW of WNY, LLC,	BUILDING	Village	\$76.00	renoof front
BP26-0019	3/18/26	3/25/26	55.035-3-21	6 Monroe	Milliron, Jerry	BUILDING	Village	\$136.00	Pavilion
BP26-0026	4/1/26	4/1/26	55.035-3-9.1	7 Park Sq	Jents, Andrew David	BUILDING	Village	\$106.00	renoof
BP26-0025	3/31/26	4/7/26	55.035-3-27	32 Elizabeth	Shahka, Bradley A.	BUILDING	Village	\$256.00	Mudroom addition
BP26-0029	4/9/26	4/9/26	55.036-2-16.2	39 Mill	Nickolson, Michael G.	BUILDING	Village	\$0.00	Change of Use - From professional office to business office with incidental retail sales
BP26-0010	2/27/26	4/20/26	55.035-1-32	22 Mechanic	Riordon, Joseph P	BUILDING	Village	\$196.00	Replace Garage
BP26-0030	4/15/26	4/20/26	55.028-1-6.1	32 E Washington St	Meliot, Abby D.	BUILDING	Village	\$136.00	porch roof
BP26-0034	4/21/26	4/21/26	55.027-2-17	23 Elizabeth	McCleary, Kevin K.	BUILDING	Village	\$106.00	renovate decks
BP26-0020	3/23/26	4/22/26	55.027-2-20	29 Elizabeth	Hayes, Jeffrey B.	BUILDING	Village	\$136.00	Pergola and hot tub
BP26-0017	3/17/26	4/27/26	55.036-2-1	11-15 Martha	11 Martha Street, LLC,	BUILDING	Village	\$0.00	New Business, no major changes
BP26-0032	4/16/26	5/4/26	55.035-4-24	25 Jefferson	Carley, David J.	BUILDING	Village	\$76.00	renoof
BP26-0039	5/15/26	5/18/26	55.035-3-12	3 Jefferson	Diegelman, Tracy	BUILDING	Village	\$257.00	Rebuild deck and patio, spiral stair
BP26-0042	5/19/26	5/19/26	55.035-3-15.1	2 Hughey	Valley Ridge LLC	BUILDING	Village	\$0.00	Change of Use, 1st Dr. office, PT, 2nd residential, No structural changes
BP26-0041	5/18/26	5/21/26	55.035-4-29	40 Madison	40 Madison Ellicottville LLC,	BUILDING	Village	\$76.00	mini-split
BP26-0044	5/20/26	5/26/26	55.043-1-2.16	31 Greer Hill	EVL Turners LLC	BUILDING	Village	\$226.00	remodel
BP26-0014	3/12/26	5/27/26	55.027-2-1.18	14 Elk	Spicer, Joanne	BUILDING	Village	\$266.00	remodel house, rebuild porch
BP26-0043	5/20/26	5/27/26	55.043-1-2.30	Greer Hill Partners, LLC,	Greer Hill Partners, LLC,	BUILDING	Village	\$46.00	deck repair
BP26-0048	6/6/26	6/16/26	55.036-1-1-2	46-48 Washington	Five Star Bank,	BUILDING	Village	\$257.00	Interior renovations
BP26-0062	6/16/26	6/22/26	55.035-6-16	38 Monroe	Hall, Nigel	BUILDING	Village	\$76.00	Blico door
BP26-0065	6/23/26	6/23/26	55.035-2-1.2	60 W Washington	Fleck, Joseph T.	BUILDING	Village	\$46.00	Demolition permit
BP26-0053	6/10/26	6/24/26	55.036-2-3.7	21 Rockwell	Schuster, Mary E.	BUILDING	Village	\$106.00	back porch roof
BP26-0058	6/15/26	6/16/26	55.035-3-5	70 Elizabeth	Clausen III, James T.	BUILDING	Village	\$76.00	Renoof
BP26-0071	7/20/26	7/20/26	55.043-1-33.3	37 Aspen Way	Sun Up Holiday Park Ltd,	BUILDING	Village	\$325.00	Tear Down and Rebuild of Single Family Residence
BP26-0070	7/17/26	7/24/26	55.035-1-34	16 Mechanic	16 Mechanic Street, LLC,	BUILDING	Village	\$134.00	Rebuild Deck
BP26-0078	8/7/26	8/7/26	55.036-6-16	38 Monroe	Hall, Nigel	BUILDING	Village	\$134.00	repair damaged deck
BP26-0074	7/28/26	8/13/26	55.043-1-2.16	31 Greer Hill	EVL Turners LLC	BUILDING	Village	\$362.00	addition
BP26-0080	8/12/26	8/13/26	55.035-3-7	66 Elizabeth	Martro, Mark G.	BUILDING	Village	\$96.00	patio roof
BP26-0076	7/30/26	8/20/26	55.043-4-25	27-29 Jefferson	Jalilail, Inc.,	BUILDING	Village	\$253.00	Rebuild walkway and stairs
BP26-0067	6/26/26	8/21/26	55.043-1-5	37 Madison	Bentzen-Blikvist, C	BUILDING	Village	\$226.00	inudroom addition
Total								\$4790.00	

Monthly Engineering Report

September 2026

Water Division – Department Supervisor Jesse Klahn

- List of water projects has been entered into a capital plan.
- Leak detection equipment has found one new leak where it is deployed currently at Rockwell Trailer Park 30gpm.
- New routers for Scada to update system.
- Reprofilng and ditching access roads to tanks for drainage.
- Lead Service Line Inventory
 - Nothing required at this time.

Sewer Division – Department Supervisor Job Lowry

- Capital
 - Continuing sample collection/lab hours every Friday.
 - Mapping of existing valves and system at plant still underway, awaiting transfer pump to clean chamber #5.
 - Working on Manhole Rehab Bid Packet

Public Works – Department Supervisor Mark Chudy

- Sidewalks along Mechanic Street and West Washington have been replaced.
- Elk St. restoration of topsoil at 12 Elk needs to be completed.
- Drainage on Adams Street discussion.

Highway Department – Department Supervisor Scot Brumagin

- Simmons Road Culvert shows signs of collapse.
- Culverts are being entered into a structures plan so we can begin budgeting for them as required. Cattaraugus County Soil District has submitted a grant application for Poverty Hill Culverts.
- Crane Road Culvert Replacement
 - Project schedule
 - Preliminary Design Resubmitted. (accepted)
 - Relocation of Verizon's line outside of Highway ROW initiated
 - Final Design Approval – Anticipated by Fall 2026 (behind schedule)
 - Bidding – Anticipated to advertised by early 2027
 - Construction – Anticipated to begin early/mid 2027
- Kruse Road Bridge Replacement
 - Project schedule
 - Preliminary Design – Resubmitted. (accepted)
 - Final Design Approval – Anticipated by Fall 2026 (behind schedule).
 - Bidding – Anticipated to advertised by early 2027
 - Construction – Anticipated to begin early/mid 2027

Town

- Town Line survey on Hefferan underway to file a turnaround easement for Highway Department.
- Route 219 Sidewalk Extension
 - On hold currently
- EV charging station update at Bryant Hill location.

Village

- Updating of existing sidewalk map/inventory
 - Inventory will assist in replacement schedule.
 - Maintenance log for fall records and issues to be addressed in coming years.
- Washington Street culvert update from State.
- Tree Removal on Adams and Martha Streets.

Other Activities

- Four Flushers meeting was held on Monday August 24th at 8:00am.

BOARD ACTION ITEMS

Town –

Village –

MONTHLY PLANNING REPORT

September 10, 2026

A. Zoning Applications

#	Address	Description	Current Status
TZ-26-019	10 Four Wheel Dr	Driveway expansion	Under Zoning Review.
TZ-26-020	0 NYS Rte. 242 E	Accessory shed	Under Zoning Review.
TZ-26-021	6249 McKinley Dr	Garage addition	Under Zoning Review.
TZ-26-022	7036 High Meadows Rd	Lot line adjustment	Approved by ZEO on 9/19.
TZ-26-023	8191 S Canada Hill Rd	New single-family residence	Approved by ZEO on 8/31.
TZ-26-024	6473 NY Route 242	Roof structure addition	Approved by ZEO on 8/31.
TZ-26-025	5372 NY Route 242	Accessory shed	Under Zoning Review.
TZ-26-026	6089 US Route 219	Ground sign	Approved by ZEO on 9/2.
TZ-26-027	7 Lincoln Dr	Privacy fence	Approved by ZEO on 9/2.
TZ-26-028	8750 Hebdon Rd	Pole barn	Approved by ZEO on 9/9.
TZ-26-029	6864 Ridge Rd	Accessory shed	Under Zoning Review.
TZ-26-030	0 Maples Rd	Accessory shed	Under Zoning Review.
TZ-26-031	10 Valley Village	Deck replacement	Under Zoning Review.
TZ-26-032	11 Valley Village	Deck replacement	Under Zoning Review.
TZ-26-033	12 Valley Village	Deck replacement	Under Zoning Review.
TZ-26-034	1 Summit Dr	Accessory shed	Under Zoning Review.

B. Zoning Complaints

#	Address	Description	Status
VZ-26-001	6394 NYS Rte. 242	Unfinished site work	Written notice sent.

C. Planning & Zoning Boards

Planning Board

- No meeting was held in August.

Zoning Board of Appeals

- No meeting was held in September.
- 1 seat is currently vacant.

D. Projects

Consolidated IT Services

Status: Ongoing

- RFP issued on 8/27 with a bid due date of 9/18.
- 25 vendors expressed interest in submitting a proposal.
- Amendment issued on 9/4. Due date extended to 9/30 with registration, question and response deadlines.

Shared Code Enforcement Services

Status: Ongoing

- Signed IMA was received from Little Valley on 9/3.
- Town Board needs to authorize the Supervisor to approve.
- Coordination to be scheduled after authorization is complete.

Water & Sewer Rate Analysis

Status: Ongoing

- Evaluating expenses, capital projects and revenues for potential rate increases.

Cyber Liability Insurance Renewal

Status: Completed

- Renewal application to extend cyber liability insurance.

Battery Storage & Data Center Zoning Amendment

Status: Ongoing

- Moratorium went into effect on 7/15/26.
- Committee being formed to consider zoning regulations regulating battery storage and data centers.

Zoning Map Amendment – Conservation Overlay

Status: No progress.

- Drafting an amendment to remove the Conservation Overlay District from designated areas.

E. Professional Development

WSTBOA Conference

Celoran, NY (Jamestown) – Scheduled to attend on 9/18.

Continuing Education to maintain CEO Certification.

Topics: Code Administration, Hazardous Materials, Zoning Basics, Intermunicipal Cooperation.

NYS Upstate APA Annual Conference

Albany, NY – Scheduled to attend 10/13 to 10/16.

Continuing Education to maintain AICP Certification.

Topics: Land Use & Zoning, Ethics, Housing, Trails, Environment & Sustainability.

September 10, 2026

Re: No Objection to Special Events – Fall Festival

To Whom It May Concern:

On behalf of the Town of Ellicottville, I write to confirm that the Town is aware of the special events that are taking place at Holiday Valley's Main Lodge located at 6557 Holiday Valley Road, Ellicottville, NY 14731. The Town has no objection to these events taking place.

Sincerely,

September 10, 2026

Re: No Objection to Special Events – Fall Festival

To Whom It May Concern:

On behalf of the Ellicottville Police Department (“EPD”), I write to confirm that the EPD is aware of the special events that are taking place at the Holiday Valley’s Main Lodge located at 6557 Holiday Valley Road, Ellicottville, NY 14731. The EPD has no objection to these events taking place.

Sincerely,

ADDENDUM NO. 1

IT Managed Services RFP

Issued By:

Town of Ellicottville
1 W. Washington Street
P.O. Box 600
Ellicottville, N.Y. 14731

Original RFP Date: August 27, 2026

Addendum Date: September 4, 2026

Purpose

This Addendum No. 1 modifies the procurement schedule and proposal requirements for the Town of Ellicottville's Request for Proposals (RFP) for IT Managed Services issued on August 27, 2026. Except as expressly modified herein, all terms, conditions, specifications, requirements, and provisions contained in the original RFP shall remain unchanged and in full force and effect.

RFP Sections Amended

The following sections of the original RFP are hereby amended:

- Section E. Proposal Guidelines
- Section H. Project Timeline

Bidder Registration Requirement

All prospective proposers intending to submit a proposal must register with the Town no later than **September 11, 2026, at 4:00 PM EST.**

Registration shall include:

- Company Name
- Primary Contact Person
- Mailing Address
- Telephone Number
- Email Address

Registration information shall be submitted by email to:

Gregory Keyser

greg.keyser@eviengineering.com

Only registered firms will be guaranteed receipt of addenda, clarifications, responses to questions, and other official communications regarding this procurement.

Failure to register by the stated deadline may result in a proposal being deemed non-responsive.

Questions Regarding the RFP

Questions regarding this RFP shall be submitted in writing no later than **September 11, 2026, at 4:00 PM EST** to:

Gregory Keyser

greg.keyser@evlengineering.com

Responses to questions and any additional clarifications will be issued through a written addendum on **September 18, 2026**.

Acknowledgement of Addendum

Proposers shall acknowledge receipt of this Addendum No. 1 in their proposal submission.

Failure to acknowledge receipt of this Addendum No. 1 may be grounds for rejection of the proposal as non-responsive.

Revised Project Timeline

Bidder Registration Deadline:	September 11, 2026, 4:00 PM EST
Deadline for Submission of Questions:	September 11, 2026, 4:00 PM EST
Responses to Questions Issued:	September 18, 2026
Proposal Deadline:	September 30, 2026, 4:00 PM EST
Evaluation Period:	October 1, 2026 – October 21, 2026
Notice of Award:	October 26, 2026
Contract Start Date:	January 1, 2027

Modification to RFP

All references in the RFP to the proposal submission deadline of **September 18, 2026** are hereby replaced with **September 30, 2026, at 4:00 PM EST**. The Project Timeline contained in Section H of the RFP is amended as reflected in the Revised Procurement Schedule above.

Except as expressly modified by this Addendum No. 1, all terms, conditions, specifications, requirements, and provisions contained in the original Request for Proposals shall remain unchanged and in full force and effect.

TOWN OF ELLICOTTVILLE

ADDENDUM NO. 1

September 4, 2026

INTERMUNICIPAL AGREEMENT FOR CONTRACTED CODE ENFORCEMENT SERVICES

This Intermunicipal Agreement for Contracted Code Enforcement Services ("Agreement") is entered into by the **Town of Ellicottville**, New York, a municipal corporation having an address of 1 W. Washington Street, PO Box 600, Ellicottville, New York 14731, and the **Village of Little Valley**, New York ("Parties"), a municipal corporation having an address of 103 Rock City Street, Little Valley, New York 14755, under the following recitals, terms and conditions:

WHEREAS, the Town of Ellicottville (the "Town") is a lawfully incorporated municipality of the State of New York governed by the Town Board of Ellicottville;

WHEREAS, the Village of Little Valley (the "Village") is a lawfully incorporated municipality of the State of New York governed by the Village Board of Trustees of Little Valley;

WHEREAS, the Village requires periodic, as-needed professional code enforcement services to administer building permits and conduct mandatory fire safety inspections in accordance with the New York State Uniform Fire Prevention and Building Code and Energy Conservation Code;

WHEREAS, the Town employs a qualified and certified Code Enforcement Officials and has the capacity to provide such services to the Village on a fee-for-service basis; and

WHEREAS, Section 119-o of Article 5-G of the New York State General Municipal Law authorizes municipal corporations to enter into agreements for the performance among themselves or one for the other of their respective functions, powers, and duties;

NOW THEREFORE, the Parties agree as follows:

1. **Scope of Services:** Upon request by the Village, the Town shall provide code enforcement services through its Code Enforcement Office, acting by and through its designated Code Enforcement Officer (CEO) or any certified code enforcement officials employed by the Town. Services shall be on an as-needed basis and shall consist of:
 - Reviewing building permit applications and plans for compliance with the NYS Uniform Fire Prevention and Building Code and Village zoning regulations.
 - Issuing building permits under the authority of the Village.
 - Conducting required construction inspections and issuing Certificates of Occupancy or Certificate of Compliance.
 - Performing state-mandated periodic fire safety inspections.
 - Investigating residential property maintenance complaints on an as-needed basis, strictly as requested by the Village.
 - Attending Village Planning Board, Zoning Board of Appeals, or Board of Trustees meetings on an as needed basis, strictly upon request by the Village.

- For the avoidance of doubt, except for the review of building permit applications for zoning compliance as specified above, the Town CEO shall not enforce local Village zoning regulations, local land use codes, or local municipal ordinances under this Agreement.
2. **Employment Status & Authority:** The code enforcement officials remain solely employees of the Town for all purposes, including payroll, benefits, workers' compensation, and civil service classification. While performing duties under this Agreement within the jurisdictional boundaries of the Village, the CEO shall be duly designated and authorized by the Village Board to enforce the NYS Uniform Fire Prevention and Building Code on behalf of the Village.
 3. **Compensation & Billing Rate:** The Village shall pay the Town a rate of \$65.00 per hour for actual time worked and reasonable travel time by the Town, plus mileage reimbursed at the prevailing IRS rate.
 4. **Invoicing & Payment:** The Town shall submit an itemized invoice to the Village on a quarterly basis detailing the dates, brief description of services rendered (e.g., specific permit administration or fire inspection address), and total hours logged. The Village shall review and process payment to the Town within thirty (30) days of receipt of each quarterly invoice.
 5. **Scheduling & Requests:** The Village shall submit requests for code enforcement services to the Town Code Enforcement Office with reasonable advance notice. The Town CEO shall schedule and perform the requested duties in a mutually agreeable and timely manner.
 6. **Records & Permit Fees:** All municipal records, issued permits, inspection reports, and official documentation generated for properties within the Village shall remain the official records of the Village. All permit fees, inspection fees, or fine revenues collected pursuant to Village regulations shall be retained solely by the Village.
 7. **Term & Termination:** This Agreement shall take effect upon execution by authorized representatives of both municipal boards and shall remain in effect for through the end of the Village fiscal year (May 31, 2027). Either party may terminate this Agreement prior to expiration by providing thirty (30) days' written notice to the other party.

IN WITNESS WHEREOF, the Parties hereto have executed this Agreement on the dates set forth below.

TOWN OF ELLICOTTVILLE

By: _____

Name: Matthew J. McAndrew

Title: Town Supervisor

Date: _____

VILLAGE OF LITTLE VALLEY

By: _____

Name: James Bowen

Title: Mayor

Date: 9-2-2026