

MINUTES OF THE
REGULAR MEETING OF THE TOWN BOARD
OF THE TOWN OF ELLICOTTVILLE, May 20, 2026
at 6:00 pm HELD AT THE TOWN HALL

<u>Present:</u>	Matthew McAndrew	Supervisor
	John Zervas	Councilman
	Steve Crowley	Councilman
	Robyn George	Town Clerk
	Ben Gross	Engineer
	Seth Pullen	Attorney for the Town
	Greg Keyser	Town Planner
	Kelly Frederickson	Building Inspector
	Greg Fitzpatrick	Councilman
	Ken Hinman	Councilman
	Scot Brumagin	Highway Superintendent
	Jim Bouchard	OIC

Others present: Mark Burr, Consulting Engineer

Call meeting to order:

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

Approve Minutes

- Town Board Meeting – April 8, 2026
- Special Meeting – April 29, 2026

On motion by Mr. Crowley and second by Mr. Hinman the minutes of the April 8th, 2026 meeting were:

Accepted Ayes 5 – McAndrew, Crowley, Hinman, Fitzpatrick & Zervas
 Nays 0

On motion by Mr. Hinman and second by Mr. Zervas the minutes of the April 29th, 2026 special meeting were:

Accepted Ayes 5 – McAndrew, Crowley, Hinman, Fitzpatrick & Zervas
 Nays 0

Audit of Claims

- Pay Town bills on Distribution Report #05-2026

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

Accepted Ayes 5 – McAndrew, Crowley, Hinman, Fitzpatrick & Zervas
Nays 0

Resolved that the Town bills be paid on General Ledger Distribution Report 05-26 as follows:

001 - General Fund A:	\$124,144.67		
002 - General Fund B:	\$ 10,704.62		
		General Fund Total:	\$134,849.29
004 - Highway DB:	\$ 74,488.21		
		Highway Fund Total:	\$ 74,488.21
006 - Water	\$ 47,039.80		
		<u>006 - Water Fund Total</u>	<u>\$ 47,039.80</u>
		Grand Total:	\$256,377.30

Supervisor's Report

- Accept Supervisor's Financial Reports

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was:

Accepted Ayes 5 - McAndrew, Zervas, Fitzpatrick, Hinman & Crowley
Nays 0

Resolved that the Board accept the Supervisor's report.

- Supervisor's Meeting – May 21st @ 6pm – Franklinville Town Hall

Planner, Greg Keyser, will be giving a brief presentation regarding planning, engineering, and code enforcement services that the Town could offer other municipalities.

- Highway Luncheon – May 22nd – noon at the Highway barn

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. Hinman the Clerk's, Police, Justice, Planning, Engineer and Building Inspector's reports were:

Accepted Ayes 5 – McAndrew, Crowley, Hinman, Fitzpatrick & Zervas
 Nays 0

Department Heads

Jim Bouchard – Police Department

OIC Bouchard reported that the 5K race went smoothly. The "Drive your Tractor to School Day" was a success as well. The Police Department will be providing traffic control for the Boot Drive which benefits Roswell Park Alliance Foundation taking place this Saturday. The speed sign is in place on Maples Road but it appears to need a new battery. It will be up and running soon.

Scot Brumagin – Highway Department

- New Radios

The Highway Department is in need of new radios for their fleet. After extensive research, Mr. Brumagin concluded that in the long run, the proposal from Saia to upgrade the system makes the most sense. It provides greatly improved coverage. Every other town in the County and Ellicottville School District has this system and it will make essential communication possible.

- Floor Drain

The Highway Department will work with the Town Engineer to fix the drain in house, saving the Town money.

- Advertise for new employee

The Town will be advertising for a new highway employee in the near future.

- BOCES

Mr. Brumagin will reach out to the BOCES workforce coordinator about setting up possible student internships with the Highway Department.

- Equipment and Road Plan

Due to skyrocketing prices, equipment and road plans are being updated.

The Town's excavator is over 7 years old and budgeted for a replacement in 2027. Mr. Brumagin got a quote from George & Swede who proposed renting one to the Town for the rest of the year. 90% of the cost of the rental will be credited when the Town purchases the equipment at the beginning of 2027. There is money in Road Improvements to cover the rental. The machine itself is discounted because it is a demo.

On motion by Mr. Zervas and second by Mr. Hinman the following resolution was

Accepted Ayes 5 - Crowley, Zervas, Fitzpatrick, McAndrew & Hinman
Nays 0

Resolved that the Highway Superintendent is authorized to rent the excavator for the rest of 2026 with the intention of buying it at the beginning of 2027.

Kelly Fredrickson – CEO Building Inspector

Mr. Fredrickson presented data on annual short-term rental revenue. Based on approximately 200 consistently active short-term rental listings with an average annual revenue of about \$36,000 per property, the annual gross STR market revenue is approximately \$7-7.5 million for the Town.

There are 20-30 properties that are advertising as short-term rentals that have not applied for licenses. The building department will begin the process of issuing citations to those property owners.

Greg Keyser – Town Planner

- Zoning Complaints

The zoning complaints regarding LED lighting by National Grid have been resolved. They have shut the lights off.

- IT Assessment

AIS has completed their assessment for the IT needs of the Town and Village. The goal now is to prepare an RFP and put the project out to bid. According to AIS, consolidating networks will result in considerable savings.

- Floodplain Managers Conference

Mr. Keyser explained that there is a Community Rating System through FEMA. If the Town can qualify for it, it could earn up to 45% discount on flood insurance for residents.

Ben Gross – Engineering Department

- Holimont Replacement water project

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

Accepted Ayes 5 - McAndrew, Zervas, Fitzpatrick, Hinman & Crowley
Nays 0

Resolved to send the Holimont Replacement water project to bid pending Cattaraugus County DOH approval.

New Business

- Chamber of Commerce Request – Gazebo

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted Ayes 5 - Crowley, Zervas, Fitzpatrick, McAndrew & Hinman
Nays 0

Resolved that the Ellicottville Chamber of Commerce be granted permission to use the Town Gazebo for this year's Gazebo Series starting Thursday, June 18th, 2026 and continuing Thursdays through July 23, 2026 with entertainment from 7pm-9pm.

Further resolved that the Chamber be allowed to use the Gazebo, July 4th (Pet Parade) and September 13th, 2026 for Rock N Roll Weekend.

Further resolved that the Chamber be required to provide the Town with an insurance certificate naming the Town as additional insured.

- Rodeo Request

Ellicottville Championship Rodeo sent a letter announcing plans for their annual Rodeo, July 2nd through July 5th. They have requested a Noise Permit until 1:00am each night.

On **MOTION** by Mr. Zervas, seconded by Mr. Hinman, the Town Clerk is directed to issue a Noise Permit to the Ellicottville Championship Rodeo as requested. All Ayes. Carried.

The Kent's have also requested that the Town write a letter to the State Liquor Authority stating that the Town has no objection to them getting a temporary beer/wine permit for that weekend.

On **MOTION** by Mr. Crowley, seconded by Mr. Hinman, the Town Clerk is directed to write a letter to the State Liquor Authority stating that the Town has no objection to the Ellicottville Championship Rodeo's obtaining a temporary beer/wine permit for the weekend of July 2nd through July 5th. All Ayes. Carried

- Mark Burr Contract

An Independent Contractor Agreement for Engineering Services with Mark Burr, PR was presented and discussed. It would give the Town the option to work with Mr. Burr on a "as-needed" basis.

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

Accepted Ayes 5 - Crowley, Zervas, Fitzpatrick, McAndrew & Hinman
 Nays 0

Resolved that the Supervisor is authorized to sign the agreement as presented.

- Phone Policy

A policy on employee's usage of the Town's phone plan is being considered and will be discussed at next month's meeting.

Old Business

- Emergency Closure Policy

On motion by Mr. Hinman and second by Mr. Zervas the following resolution was

Accepted Ayes 5 - Crowley, Zervas, Fitzpatrick, McAndrew & Hinman
 Nays 0

Resolved that the Town adopt the following:

Town of Ellicottville

Municipal Building Safety & Emergency Closure Policy

Purpose

To ensure the safety of employees, officials, and the public in the event of a credible threat or hazardous condition.

Policy Statement

The Town reserves the right to **restrict access, evacuate, or temporarily close any municipal building** when a situation presents a potential risk to health or safety.

Authority

This policy is implemented under the Town's general responsibility to protect public safety and when applicable, pursuant to New York Executive Law § 24.

Conditions for Closure

A building may be closed or evacuated when there is:

- A credible threat (verbal, written, or observed)
- Suspicious activity or known hazard
- Direction from law enforcement or emergency services
- Any condition that poses an immediate safety risk

Authorized Decision-Makers

The following individuals may initiate a closure:

- Town Supervisor
- Deputy Supervisor
- Town Clerk
- Officer-In-Charge of the Police Department
- Department Head or on-site supervisor in in coordination with law enforcement

Procedures

1. **Assess the situation** and immediately contact law enforcement if appropriate
2. **Evacuate or secure** the building as needed
3. **Notify elected officials, staff and the public** of closure
4. **Document the incident** (time, nature of threat, actions taken)
5. Implement measures to allow Town services to continue while ensuring safety if practical
6. Reopen only when deemed safe by appropriate officials or authorities

Communication

• Notice will be posted on the Town website building entrances when feasible. Essential services will be addressed as soon as possible after reopening

- Water Document – working on the update

- 43 Jefferson, 23 Adams – Frozen Water line claims

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

Accepted Ayes 5 - Crowley, Zervas, Fitzpatrick, McAndrew & Hinman
 Nays 0

Whereas, the landowners and water customers of the properties located at 43 Jefferson Street and 23 Adams Street have requested reimbursement of the costs incurred to uncover and thaw frozen water lines on or about February 11, 2026, and

Whereas, it is uncertain whether the water line freeze was in the Town's portion of the water line, and

Whereas, the Town is in the process of updating its regulations regarding responsibility for costs associated with frozen water lines, which will apply in future years,

Now Therefore,

It is RESOLVED, that the Town will approve the payment of one half (1/2) of the landowner's invoiced cost associated with uncovering, thawing and restoring the frozen water lines on or about February 11, 2026 at 43 Jefferson Street and 23 Adams Street, which amounts to \$614.25 and \$965.25 respectively.

- EVGV Trail

The 5k fundraiser scheduled for May 3rd was canceled due to lack of interest. The Trail Committee will be advertising for marketing person.

- Alarm Law – under review

- Fire Hall

The deed to the Fire Hall has been prepared and is ready for Supervisor McAndrew to sign the property over to the Fire Department.

Adjournment

Motion by Mr. Zervas seconded by Mr. Hinman to adjourn the meeting at 8:10pm and go into Attorney/Client Privilege. All Ayes. Carried.

I, Robyn A. George, 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 20th day of May, 2026 approved by said Board on the 17th day of June, 2026.

Robyn A. George – Town Clerk