

MINUTES OF THE  
REGULAR MEETING OF THE TOWN BOARD  
OF THE TOWN OF ELLICOTTVILLE, March 18, 2026  
at 6:00 pm HELD AT THE TOWN HALL

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

**Others present:** Dre Hollamby, press, Julie Bachan, Sara Shatzel, Cathleen Pritchard, Jeff Perks, Steve Frank, Sam Nelson, Rachel Northrup McGee, Scotty McGee, Julie Bachan, Terry Falsone, Jennifer Courtney, Charles Carr, Charlene Carr, Pam Matthews, Kathleen Tompkins, Gail Scheeler, Mark O'Connor, Randy Clark

**Call meeting to order:**

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

**Privilege of the Floor**

- Short Term Rental Application Discussion

A couple of property owners that missed the deadline to submit STR applications questioned whether or not they would be able to get a permit. One missed because they weren't aware of the new rules, the other because he didn't close on the purchase of the property in time. Although the law governing short term rentals was adopted over a year ago, and every attempt was made to make the public aware of the law, the Board does have some discretion in setting the Cap and will try to make some decisions before the next Board meeting. In the meantime, it was suggested that those wanting a STR permit, apply as soon as possible to be in line for the next available one.

A Real Estate agent wanted to know why an empty lot can not apply for a permit. It was explained that the permit is contingent on an inspection of the dwelling and when there is no dwelling, that is not possible.

- Maples Road Speed Limit

Numerous residents were present supporting a lower speed limit on Maples Road and wanted to know what they could do to help facilitate such an outcome. The Town Engineer will be setting up a meeting with all concerned with a representative from the NYS DOT, the agency that would make such a decision. In the meantime, the Town will look into restriping crosswalks and creating a new one at Northwood Drive. Signage may also be added that may help to slow traffic.

- Frozen Pipes

A couple of property owners suffered from frozen pipes at their properties and accrued expenses while correcting the problem. They believe that the Town should reimburse them for that expense because the pipes were frozen on the other side of their shut-off main. Discussion followed on the interpretation of the "Rules and Regulations Governing Water Service" in regards to who's responsible for such expenses. The Board will look at clarifying the rules and suggested the property owners submit a written request for reimbursement and include a report from the contractor and financial claim. The Town will remind property owners to leave their water running a bit when the weather is exceptionally cold.

### **Approve Minutes**

- Town Board Meeting – February 18, 2026

On motion by Mr. Crowley and second by Mr. Zervas the minutes of the February 18, 2026 meeting were:

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

### **Audit of Claims**

- Pay Town bills on Distribution Report #03-2026

On motion by Mr. Crowley and second by Mr. Zervas 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 03-26 as follows:

|                       |              |                               |                     |
|-----------------------|--------------|-------------------------------|---------------------|
| 001 - General Fund A: | \$33,239.10  |                               |                     |
| 002 - General Fund B: | \$ 15,377.96 |                               |                     |
|                       |              | General Fund Total:           | \$ 48,617.06        |
| 004 - Highway DB:     | \$104,273.36 |                               |                     |
|                       |              | Highway Fund Total:           | \$104,273.36        |
| 006 - Water           | \$ 77,064.46 |                               |                     |
|                       |              | <u>006 - Water Fund Total</u> | <u>\$ 77,064.46</u> |
|                       |              | Grand Total:                  | \$229,954.88        |

### **Supervisor's Report**

- Accept Supervisor's Financial Report

On motion by Mr. Crowley and second by Mr. Fitzpatrick 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 – Feb. 26<sup>th</sup>

Representatives from the DMV, Economic Development, NYS Comptroller's office and Governor Hockel's office spoke at the meeting. The topics discussed were auditing, fraud investigation, grant applications, NYS Retirement System, NYS budget and funding. Officers were elected.

- Reschedule April Meeting

Several Board members will be unavailable to attend the regularly scheduled meeting in April.

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

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

Resolved that the monthly regular meeting of the Town Board be rescheduled for Wednesday, April 8<sup>th</sup> at 6pm.

### **Present Written Department Reports for Approval**

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

On **motion** by Mr. Zervas and second by Mr. Hinman the Clerk's, Police, Planning, Justice, 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 would like to hire Hareigh Lavery to fill the vacant full-time police position effective April 1st. He has been working for the Franklinville Police Department for the last few years and Bouchard thinks he'd be a good fit. He also has someone in mind for a part-time position and would like to have the Town sponsor intern Alexandria Stoddard for the Police Academy if needed.

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

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

Resolved that the Town support OIC's decision to hire Hareigh Lavery. He also has the Board's support for hiring a part-time officer and sponsoring intern, Alexandria Stoddard, for the Police Academy if requested.

#### **Scot Brumagin – Highway Department**

Mr. Brumagin said the new hotbox works great and will allow the Highway Department to fix potholes more efficiently. This will be a priority this spring.

He would like to set up something with BOCES to show the younger generation what a career with a highway department looks like. Mr. Crowley will help to facilitate such a program.

Mr. Brumagin is looking into applying for a grant that would save up to 80% on snowblades.

Adam Gassman's probationary period is up. Mr. Brumagin is asking to raise his rate of pay to the top rate. He praised his work and attitude.

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

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

Resolved that Adam Gassman receive a pay increase to the top rate, effective March 16, 2026.

### **Kelly Fredrickson – CEO Building Inspector**

Mr. Frederickson reviewed the status of short-term rental applications and permits. The criteria for establishing a cap on permits was discussed. The way to handle multiple licenses for a single property was also discussed.

### **Greg Keyser – Town Planner**

AIS has been on-site assessing the Town and Village's IT (server) needs. The assessment should be done by the end of the month.

Darrin Weichman resigned from the Town Planning Board.

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

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

Resolved that the Town Board accept the resignation of Darrin Weichman from the Town Zoning Board of Appeals.

The Town will advertise for a replacement.

### **Ben Gross – Engineering Department**

- Frozen Water Lines

There have been 9 frozen water lines. More discussion followed as to whose responsibility it is to fix them. The general consensus was that if the freeze is between the curb box and the house it is the homeowner's responsibility, beyond that, it becomes the Town's responsibility. A specific procedure to determine responsibility will be considered.

- Kruse Road Resolution

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

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

TOWN OF ELLICOTTVILLE  
Replacement of Kruse Road over Beaver Meadows Creek  
(Bridge NY Project – Locally Administered)

Resolution authorizing the implementation and funding of costs of a transportation project, of which may be eligible for federal-aid and/or state-aid, or reimbursed from Bridge NY Funds.

WHEREAS, a project for the replacement of Kruse Road Bridge over Beaver Meadows Creek, P.I.N. 5764.96 (the "Project") is eligible for funding under Title 23 U.S. Code, as amended, 23CFR as amended and PUB. L. 117-58 also known as the "Bipartisan Infrastructure Law" (BIL); and

WHEREAS, the Town of Ellicottville will design, let, and construct the Project.

WHEREAS, the Town of Ellicottville desires to advance the Project by making a commitment of 100% of the costs for the Bridge NY Bridge Replacement of Kruse Road over Beaver Meadows Creek.

NOW, THEREFORE, The Town of Ellicottville Town Board, duly convened does hereby

RESOLVE, that the Town of Ellicottville Town Board hereby approves the above-subject Project; and it is hereby further

RESOLVED, that the Town of Ellicottville Town Board hereby authorizes the Town of Ellicottville to pay 100% of the cost of the replacement of Kruse Road Bridge over Beaver Meadows Creek work for the project or portions thereof, with the understanding that qualified costs may be eligible for federal-aid, state-aid, or reimbursement from Bridge NY funds; and it is further

RESOLVED, that the Town of Ellicottville Town Board hereby agrees that the Town of Ellicottville shall be responsible for all costs of the Project which exceed the amount of federal-aid, state-aid, or NY Bridge funding awarded to the Town of Ellicottville; and it is further

RESOLVED, that in the event the Project costs not covered by federal-aid, state-aid, or NY Bridge funding exceed the amount appropriated above, the Town of Ellicottville Town Board shall convene as soon as possible to appropriate said excess amount immediately upon notification by the NYSDOT thereof, and it is further

RESOLVED, that the Town of Ellicottville Town Board hereby agrees that construction of the Project shall begin no later than twenty-four (24) months after award and the construction phase of the Project shall be completed within thirty (30) months; and it is further.

RESOLVED, that the Town Supervisor of the Town of Ellicottville be and is hereby authorized to execute on behalf of the Town of Ellicottville all necessary agreements, certifications or reimbursement requests for federal-aid and/or state-aid with the New York State Department of Transportation in connection with the advancement or approval of the Project and providing for the administration of the Project and the Town of Ellicottville's funding of the Project costs and permanent funding of the local share of federal-aid and state-aid eligible Project costs and all Project costs within appropriations therefore that are not so eligible; and it is further

RESOLVED, that a certified copy of this resolution be filed with the New York State Commissioner of Transportation by attaching it to any necessary Agreement in connection with the Project; and it is further

RESOLVED, this Resolution shall take effect immediately.

### **New Business**

- Boot Drive

Priscilla Snider is requesting to hold a boot drive, Saturday, May 23<sup>rd</sup>, 8am-noon. The boot drive benefits Roswell Park Alliance Foundation. Monies raised go toward research and patient programs.

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

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

Resolved that the Town approve Priscilla Snider's request for the boot drive. OIC Bouchard will coordinate with her for police assistance.

- Occupancy Tax

There was no support from the Board to implement an occupancy tax at this time.

- Credit Card Policy

Mr. Pullen will draw up a policy that reflects the needs of the Town of Ellicottville.

### **Old Business**

- Electric Rates Resolution

RESOLUTION OF THE TOWN BOARD OF THE TOWN OF ELLICOTTVILLE,  
NEW YORK  
URGING IMMEDIATE REVIEW OF ELECTRIC DELIVERY CHARGES,  
DEMANDING IMPROVED COST CONTROLS AND TRANSPARENCY, AND  
AUTHORIZING FORMAL COMPLAINTS TO THE NEW YORK STATE PUBLIC  
SERVICE COMMISSION REGARDING THE ESCALATING COST OF  
ELECTRICITY.

*At a Regular Meeting of the Town Board of the Town of Ellicottville, New York  
held on March 18, 2026 at the Town Hall:*

WHEREAS, residents, and small businesses in the Town of Ellicottville are experiencing unsustainable, repeated, and compounding increases in electric bills that are placing a growing financial strain on households and the local economy; and

WHEREAS, a substantial portion of these increases is attributable not to increased energy consumption, but to escalating delivery charges, fees, and approved rate adjustments imposed by the local electric utility NATIONAL GRID with the consent of the New York State Public Service Commission; and

WHEREAS, electric delivery charges and rate structures are regulated and approved by the New York State Public Service Commission, which is statutorily charged with ensuring that utility rates are just, reasonable, and affordable for ratepayers; and

WHEREAS, the Town Board is aware that many residents, including senior citizens, are struggling to afford basic electric service and there are serious concerns regarding the frequency, magnitude, and lack of transparency surrounding recent and ongoing rate increases; and

WHEREAS, rural and low-density communities such as the Town of Ellicottville are disproportionately impacted by delivery charge increases and cost-recovery

mechanisms that fail to adequately account for affordability, equity, and the cumulative burden placed on ratepayers; and

WHEREAS, the Town Board finds that continued rate increases without stronger cost controls, greater transparency, and meaningful affordability protections is unacceptable and contrary to the public interest;

NOW, THEREFORE, BE IT RESOLVED, the Town Board of the Town of Ellicottville formally and strongly urges the New York State Public Service Commission to conduct a thorough and immediate review of electric delivery charges, rate increases, and cost-recovery practices applicable to NATIONAL GRID customers; and

BE IT FURTHER RESOLVED, the Town Board calls upon the Public Service Commission to prioritize ratepayer affordability, demand greater transparency from NATIONAL GRID, and require demonstrable cost-containment and operational efficiency measures before approving any future rate increases; and

BE IT FURTHER RESOLVED, the Town Board expressly opposes continued or automatic rate increases that shift rising operational, infrastructure, and administrative costs onto ratepayers without clear justification or adequate protection for rural communities; and

BE IT FURTHER RESOLVED, the Town Supervisor and Town Attorney are hereby authorized to submit formal complaints, written comments, and supporting documentation to the New York State Public Service Commission on behalf of the Town and its residents, objecting to excessive electric costs and requesting regulatory intervention; and

BE IT FURTHER RESOLVED, the Town Clerk is directed to transmit copies of this resolution to the New York State Public Service Commission, NATIONAL GRID, the Governor of the State of New York, local representatives on the New York State Legislature, and neighboring municipalities served by NATIONAL GRID, and to encourage coordinated action among affected municipalities; and

BE IT FURTHER RESOLVED, this resolution shall take effect immediately upon adoption.

On motion of Councilman John Zerfas  
seconded by Councilman Ken Hinman  
the following resolution was voted

Ayes 5

Nays 0

ADOPTED

- EVGV Trail

Regional Trail option – meeting on the 27<sup>th</sup>. A 5k fundraiser will be held at Holiday Valley on May 3<sup>rd</sup>.

- Alarm Law – under review
- Fire Hall

The Town Attorney is working with the attorney for the Fire Department to cede the Fire Hall and necessary property to the Fire Department. The title search and abstract should be available soon.

### **Correspondence**

- Alley Katz

The Alley Katz sent the Board a note thanking them for their continued support.

### **Adjournment**

Motion by Mr. Zervas seconded by Mr. Hinman to adjourn the meeting at 8pm. 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 18<sup>th</sup> day of March, 2026 approved by said Board on the 8<sup>th</sup> day of April, 2026.

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Robyn A. George – Town Clerk