

SEPTEMBER 28, 2016

The second monthly meeting of the Ellington Town Board was held on September 28, 2016 at 7:00p.m. at the Ellington Town Hall, 813 W. Main Street, Ellington, N.Y.

PRESENT: Laura M. Cronk, Supervisor
Jeffrey L. Chase, Councilman (late)
Barbara Beightol, Councilwoman
Kelly Rhinehart, Councilman
Dennis Colvenback, Highway Superintendent
Karen G. Bifaro, Town Clerk/Recording Secretary
William Duncanson, Attorney
Sandy Colvenback, resident
Lynn & Francine Emley & family, residents
Joyce Frank, resident
Pastor Don, Baptist Church

ABSENT: Tamara Miles, Councilwoman

Supervisor opened the meeting at 7:00p.m. followed by the Pledge of Allegiance.

Public Participation

Councilwoman Beightol had talked with Pastor Don about their plans for Halloween. He said they would furnish the donuts and get the judges and the Town will furnish the cider, prizes, etc. Parade will be scheduled for 7:00p.m. at the Firehall. Supervisor will contact Jim Smith for permission to use the Firehall.

Supervisor told the Attorney and Board briefly of the problem the Emley's are having with neighbors concerning a fence. Francine Emley handed out informational packets to all the Town board and one for the Code Enforcement Officer. She would like to tell the Town what the impact is to residents by not have stricter building code laws as there is nothing to protect the landowners. They are going through property line fencing issues with their neighbor that have placed a fence on their property. Also the neighbors dumpster was on the Emley's property. Police have been called on this issue but said there were no building code laws to fall back on and they also did not see him actually put the fence supports on the wrong property. Other issues have come about with a right-a-way with another resident. Attorney noted there is a Uniform Building and Fire Code that all Towns have adopted and require a Building Code Officer. He said there could be a "stand alone" law on fencing as Ellington does not have zoning codes. Zoning is a huge undertaking for a Town. Supervisor replied that the Board needs to discuss this issue and consider laws for future such issues.

Public Participation was closed at 7:30p.m.

Highway Superintendent Report

Towns of Poland and Gerry helped with shared services in Ellington doing shoulder work on Waterman Road and Dean School Road hauling away 135 10-wheeler loads of shoulder material. The last round of mowing is underway but had another flat tire on mower. Finished ditching on Waterman Road. Abbey Road ext. abandonment is on hold as costs need to be determined and correct plan needs to be made. Flags have been removed from poles and will be moving the Vietnam Veterans Memorial to the area at the Town Hall. Shared service to Conewango for blacktopping and shared service with Poland with the use of our "oil buggy". The paperwork for the tube project on Dean School Road has been transferred from D.E.C. to the Army Corp of Engineers. Old mower has been put in auction and waiting for confirmation of being sold. Councilman Rhinehart had a complaint that there is sight difficulty at the end of Harris Hollow Road and Mill Street has a drop off at the end of pavement that should be fixed by winter. Hwy. Supt. will look at both the areas.

Motion made by Rhinehart, seconded by Beightol to accept the Highway Supt. report as submitted.

VOTE: Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Attorney and Town Board discussed the issue brought to the Board about fences. The Attorney said the Town Board could make a stand alone law about fencing placement and maintenance. Other issues were discussed that have been brought to court. Other laws will be reviewed to get information for this purpose. Ideas will be brought to the next meeting.

Motion made by Beightol, seconded by Rhinehart to table this issue so as to be able to review information.

VOTE: Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Audit & Payment of Claims

At this time the Town Board reviewed the bills as follows:

General Fund Claim Nos:	#247 - #262	\$2,676.47
Highway Fund Claim Nos:	#149 - #161	227,377.11
Trust & Agency Fund Claim Nos:	#19	<u>242.12</u>
ABSTRACT NO. 17	TOTAL	\$230,295.70

Motion made by Beightol, seconded by Rhinehart to pay the bills as submitted.

VOTE: Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Committee Reports

Library Director is very willing to join with the Town to have a Christmas party for the kids. Dates open are Dec. 10th & 17th. Ideas were discussed.

Supervisor received a check from Five Star International that will be deposited and sent to Five Star Equipment.

Motion made by Rhinehart, seconded by Beightol to accept the minutes of September 14, 2016 as submitted.

VOTE: Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Attorney presented a proposed law for the "Town of Ellington Tree Management Plan" for the Town Board to review.

Email was received from Councilwoman Miles that she will be at the next meeting.

Security Policy that was written previously will cover all the security cameras used by the Town.

The display case for the front reception area of the Town Hall to display pictures and historical items was discussed.

Motion made by Rhinehart, seconded by Beightol to purchase the proposed glass display case in grey.

VOTE: Chase-aye, Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Letter was received from State that the Dog Control Officer, Kristina Wiles, has passed the state's inspection.

Attorney was asked about the Cemetery Fund that was originally given to the Town when the Cemetery Assoc. dissolved. It then became the responsibility of the Town to undertake the cemeteries. He informed the Town Board that the money in the fund can be spent by the Town.

Insurance Committee informed the Board that a new insurance broker, Jessica Nuccio of Integrated Benefits Solutions, has been contacted about employee insurance. Insurance year starts on December 1st.

Motion made by Chase, seconded by Beightol to authorize new broker, Jessica Nuccio, to get information from Independent Health.

VOTE: Chase-aye, Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Supervisor received a letter from State Comptroller DiNapoli that Town of Ellington will be receiving \$14,635.00 in State aid revenue sharing.

Supervisor and Town Clerk met with 3 people from the Chautauqua County Dept. of Planning & Development concerning the grant that will be available to municipalities in 2017. They suggest we plan in budget for funding of projects through 50-50 grants. Possibly the Town Park Plan would be eligible for this funding.

Town Clerk proposed an amendment to the Resolution "Standard Workday for N.Y.S. Retirement System". This will be posted for 30 days and then sent to the State for correct reporting. Motion made by Beightol, seconded by Chase to approve the Resolution and post for 30 days required.

VOTE: Chase-aye, Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Bids were received from Axiom and Eagle Office Equipment for pricing on a new copier/printer. This copier will be used by Clerk, Assessor, and Building Code Officer and faxes, scans received and sent by all Depts. Town Board discussed with Town Clerk. Axiom will credit us \$400. for old machine.

To fix the old copier would cost \$550.

Motion made by Beightol, seconded by Rhinehart to purchase the new copier/printer from Axiom Office Imaging.

VOTE: Chase-aye, Beightol-aye, Rhinehart-aye, Cronk-aye Carried.

Motion made by Rhinehart to adjourn meeting at 8:56p.m.

Respectfully Submitted,

Karen G. Bifaro
Town Clerk/Recd Secy.