

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, MAY 12, 2011 7:00 PM TOWN HALL

PRESENT WERE: Supervisor Eaton Councilman Jonak
Councilman Sendlakowski Councilman Hitchcock
Councilman Hare Comptroller C. Hemphill
Attorney Tuttle Town Clerk M. Peck

Also present: R.Kyser, D.Sue, H. Larson, S. Guthrie, R.Pearl.

ABSENT: Hwy Superintendent Gleason

Salute to the Flag a 7:00 pm opened the meeting.

AUDITED CLAIMS

Gen A	\$24,967.68	Hwy DA	\$13,710.10
Gen B	\$17,611.72	Hwy DB	\$25,490.92
Sp Dist	\$41,365.70		

MONTHLY REPORTS

Town Clerk	Highway Department
Recreation & Parks	Building & Zoning

Town Justice D.Porter – report for April 2011 – amount of check \$7300.00.
Town Justice A. Spears – report for April 2011 – amount of check \$8043.67.

#105-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes from the April 28, 2011 public hearing on sewer rate reduction and regular board meeting as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Zoning Board of Appeals minutes from 5/2/11 meeting.
2. Fund balances as of 4/30/11 per comptroller
3. NYMIR proposed rate adjustment letter for 2011 (decrease)
4. Notice from KAM3, LLC of their liquor license renewal application.
5. Letter from property owner regarding his in favor of wind energy.
6. Time Warner Cable – notice of program changes.
7. Draft of Planning board minutes from the 4/27/11 meeting.
8. NYS DEC – notice of modification to land reclamation permit to Giardini Bros.
9. Catt. Co. H. D. – Larvicide Notice and Maps for mosquito spraying
10. Association of Towns – conference for Natural Gas Drilling in the Marcellus Shale Region
11. Part 2 – Catt. Co. Planning Board referral on WE Overlay District Amendment.

NEW BUSINESS

1. Quote from Mazza regarding Senior Center heating/cooling system.
2. Letter from Hodgson Russ regarding wireless communication services representation.

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#106-MOTION TO SET PUBLIC HEARING ON BONA SQUARE PD AMENDMENT

Motion by Eaton to set a Public Hearing on the Bona Square PD Amendment for Thursday, June 8, 2011 at 7:00 pm at the Senior Center. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#107-MOTION TO ACCEPT CONVEYANCE OF FIVE MILE CEMETERY

Motion by Eaton WHEREAS, there has been established in the town a cemetery known as the Five Mile Cemetery of Allegany, New York Cemetery Association, Inc., which association maintains a public cemetery on Church Road in Allegany, Cattaraugus County, New York, and owns real property in said town, and WHEREAS, said association has under its care certain funds for perpetual care, permanent maintenance, special trust, general fund, deposited in the following banks: Five Star Bank. WHEREAS, the association has been and still is unable to procure sufficient income from above investments, the members of the association and from the representatives of the deceased persons interred in the cemetery. WHEREAS, the cemetery association has requested that the Town of Allegany pursuant to Section 1506 (j) of the Not-for-Profit Corporation Law, accept the conveyance of the cemetery premises and transfer of assets. RESOLVED, That the Town of Allegany accept the conveyance of the cemetery premises and the transfer of the assets from the cemetery association, such conveyance shall be subject to all agreements as to lots sold and all trust, restrictions and conditions upon the title or use of the real property or assets. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-abstain, Hare-aye, Eaton-aye. CARRIED.

UNFINISHED BUSINESS

#108-MOTION TO ADOPT EMPLOYEE HANDBOOK WITH MEDICAL INSURANCE CHANGES

Motion by Hare to adopt the employee handbook with the updated information regarding the medical insurance provisions effective June 1, 2011. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

1. Assessor Contract/Agreement -- Executive Session

COMMITTEE REPORTS

Councilman Hare - spoke with Foit-Albert, Assoc. regarding the water system price and he has not received an answer from K.Wilson on this. Has many phone messages to him and emails, but no reply yet.

#109-MOTION TO SEND LETTER TO KEEP ALLEGANY POST OFFICE OPEN

Motion by Eaton to send a letter to Senator 's office and Congressman's office to keep Allegany Post Office open. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#110-MOTION TO APPROVE OLD HIGH SCHOOL GYM CONTRACT

Motion by Eaton to approve the old high school gym contract effective 1/1/11 for a 3 year period with a 5% increase each year. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

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From the floor: nothing from the floor

#111-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ASSESSOR'S CONTRACT

Motion by Eaton to adjourn to executive session to discuss the assessor's contract. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

Regular meeting adjourned at 7:49 pm

#112-MOTION TO ADJOURN EXECUTIVE SESSION AND ENTIRE MEETING

Motion by Jonak to adjourn executive session and entire meeting. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:13 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
5/13/11