

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, FEBRUARY 11, 2010 7PM TOWN HALL

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

ALSO PRESENT: G.Ayers, H.Larson, D. Sue, N.Mosman, B.Boser, R. Kyser, K.Wilson-Town
Engineer, M.Cole-Surveyor, J.Dzuroff

Salute to the Flag at 7:00 PM opened the meeting

AUDITED CLAIMS

Gen A	\$64,326.71	Hwy DA	\$67,770.79
A.P.	663.38	A.P.	234.00
Gen B	\$ 4,248.32	Hwy DB	\$21,754.32
Sp Dist	\$14,175.80		
A.P.	\$35,671.57		

MONTHLY REPORTS

Town Clerk	Highway Department
Recreation & Parks	Building & Zoning

Town Justice D.Porter – report for January 2010 – amount of check \$8495.00

Town Justice A. Spears – report for January 2010 – amount of check \$4235.00

#59-MOTION TO APPROVE MINUTES

Motion by Sendlakowski to approve the minutes from the January 28, 2010 regular board meeting as written. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#60-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from the February 8, 2010 Special Meeting with Planning Board as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Sales Tax Revenues Comparisons sheet for 2004 – 2009
2. NYS Dept. of Code Enf. & Admin. – petition for relief for Sr. Center Expansion
3. Catt. Co. Health Dept. – mosquito surveillance program - \$8598.25 Town Cost
4. NYS ORPS – 2009 Annual Aid Certification : \$13,209.79 for 3081 parcels
5. Time Warner Cable – letter advising of ongoing efforts
6. Copy of letter from Hwy Supt. To Comm. Of Public Works – Catt. Co.
7. Copy of Letter to NYS DEC from C.Horowitz regarding Bona Square Project – SEQR Lead Agency
8. NYSEG – Emergency Numbers Listing

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9. US Congress – letter RE: grant opportunity information “Broadband Technologies”
*****Councilman Hare distributed an update report to the board; The Town has been registered on the special government web-site*****
10. STW – Membership Invoice and Conferences
11. Time Warner Cable – notice of franchise fee due the Town
12. Town of Allegany Planning Board minutes from 1/11/2010 meeting

NEW BUSINESS

1. Driveway Permit – Proposed Local Law*** **Attorney Tuttle to research, table to 2-25-10 meeting*****

UNFINISHED BUSINESS

1. Update on Exit 24 water line from Town Engineer, Kirk Wilson
Town Engineer, Kirk Wilson – advised the Town Board that there is a conflict in where the water lines were to be placed and with existing gas lines. Foit-Albert Assoc. will be modifying the existing plans to fix this problem at their cost. Pursuing the issue of placing the water lines out of the right-of-way. Councilmen Sendlakowski and Hitchcock are pursuing the issue of right- of-ways for sewer line from property owners also.
2. Update on release of Cemetery monies from State from Attorney Tuttle
Town Attorney, Wendy Tuttle- advised the Board that the general complaint form for this matter has been prepared for some time, however, needs to be researched further. The maintenance fund for cemeteries is an important issue. The Supreme Court would require many statistics, such as an informal analysis/projection to show the need for the monies. **TABLE THIS MATTER**
3. Update on deed for River Park -Attorney Tuttle

#61-MOTION TO AUTHORIZE TOWN ATTORNEY TO FILE DEED

Motion by Hitchcock to accept the deed for transfer of River Park from the Village to the Town and authorize the Town Attorney to file this in Little Valley. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

4. Complaint #01 of 2010 – **per Code Enforcement Office – the persons have applied for a variance. TABLE**
5. Complaint #02 of 2010 – **Supervisor Eaton has spoken to Mr. Gattuso, waiting on action by Mr. Ozzella - TABLE**
6. Update on Carter Parking Permit- **Supervisor Eaton has spoken with Dominic Papasergi and if cars are parked on the roadway when auctions are held, they will be ticketed/towed as the Town does not allow parking on town roadways between Nov. 1st and April 1st per Ordinance dated July 8, 1993.**
7. Update on Grant application for 60 + building
8. Update on sewer bill from the City of Olean – **per Supervisor Eaton – there were massive errors on their part; Contingency fund they had is illegal; they were charging us for too many employees: 9 ½ instead of 4; and their retirement fund fees were way off.**
9. **Supervisor Eaton** – has spoken again with Senator Young requesting that she look into the Bed Tax issue for the Town of Allegany.

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- 10. RE: wind energy and Catt. Co. IDA** – found that the Town would not get much money, the school and county would get most of the money from this project. This is not how it should be as the project would be in the town and the town is doing most of the work.

#62-MOTION TO PAY FOR PERSONAL PHONE USE

Motion by Eaton to pay \$40.00 per month to Highway Superintendent towards the cost of using his personal phone instead of a Town cell phone as it is the same cost. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- Recreation Dept. – issue of “free” usage of Creekside Chapel gym *** per Supervisor Eaton, this gym is being under used. The town may be able to schedule some activities there in addition to the current programs. Mark is working with the Pastor and the Recreation Committee on this.
- Councilman Hitchcock – regarding Mazza’s Maintenance Agreements: gave us two options: 1) to stay the same as we are now and 2) to have an agreement that has labor, equipment and parts included in the yearly fee. The committee is to get together and request a written “quote” or proposal to see what can be drawn up for each building (Town Hall and Birch Run Bldg.)
- Councilman Sendlakowski – has met with Dominic, Rena and John Hare regarding the updating of the Web-Site. If anyone has any requests, please let Hans know.
- C. of O. to be issued for Highway Garage/Senior Center upon completion of heating system compliance. Waiting to hear from Contractor.
- Hwy Superintendent: supplied a proposal from Austin Security for Lock Box Hardware for the Birch Run Facility. This will be put on next agenda.
- Councilman Hare: distributed an update to board on the review done by Patterson & Lee. Most of most obvious energy savings steps already done; submitting grant application under NYSERDA RFP10 has little chance of success.

#63-MOTION TO AUTHORIZE SUPERVISOR TO SIGN A B.A.N. FOR NEW DUMP TRUCK

Motion by Hitchcock to authorize the supervisor to sign a B.A.N. for \$150,000.00 for a new dump truck. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

From the Floor: Ron Kyser: commented on the heating contract, agrees that it is good to have for the entire system as it will pay for itself if something breaks.

#64-MOTION TO ADJOURN TO EXECUTIVE SESSION ON PERSONNEL

Motion by Eaton to adjourn to executive session on personnel. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

This portion of meeting adjourned at 8:23pm

#65-MOTION TO ADJOURN EXECUTIVE SESSION AND REGULAR MEETING

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

Meeting adjourned at 9:10 pm

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Respectfully submitted,

Mary M. Peck, Town Clerk
2/12/2010