

# MINUTES – TOWN OF ALLEGANY REGULAR MEETING THURSDAY, OCTOBER 8, 2009 7:00 PM TOWN HALL

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PRESENT: Supervisor Eaton                      Councilman Hitchcock  
            Councilman Sendlakowski              Hwy. Superintendent Gleason  
            Comptroller Hemphill                      Town Planner Horowitz

ABSENT: Councilman Jonak                      Councilman Wolf  
            Town Clerk Peck                              Attorney Tuttle

Salute to the flag at 7:00 PM opened the meeting.

Supervisor Eaton introduced Kevin Greiner from Ross Wilson & Associates, Inc., Brenda Snow from St. Bonaventure University, Craig Marlett from Ross Wilson & Associates, Inc. and Jason Crisafulli from Kinley Corp. Ms. Snow and Mr. Greiner briefed the Board on the proposed “Bonaventure Square” project. Mr. Greiner explained that this presentation was just an opportunity for them to introduce themselves to the Town and give everyone the chance to ask questions and said they will be returning within 30 – 45 days with their first formal submission of their site plan application. He explained that he hoped they could get through the approval process within six to seven months. They would like to begin construction in the summer of 2010 with an anticipated opening date of September 2011.

#### AUDITED CLAIMS:

Gen A	\$88,774.29	Hwy DA\$22,786.26
Gen B	\$ 1,790.57	Hwy DB\$43,074.12
Sp. Dist	\$ 1,962.42	

#### MONTHLY REPORTS:

Town Clerk	Building & Zoning
Highway Dept.	Recreation & Parks

Town Justice D. Porter-report for September 2009-amount of check \$10,579.20

Town Justice A. Spears-report for September 2009-amount of check \$8,035.00

#### #172-MOTION TO APPROVE MINUTES

Motion by Sendlakowski to approve the minutes of the September 10, 2009 Regular Board Meeting as written. 2<sup>nd</sup> by Hitchcock. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

#### #173-MOTION TO APPROVE MINUTES

Motion by Hitchcock to approve the minutes of the September 24, 2009 Public Hearing and Special Board Meeting as written. 2<sup>nd</sup> by Sendlakowski. Hitchcock-aye, Sendlakowski-aye, Eaton-aye. CARRIED.

#### CORRESPONDENCE

1. Letter from Jack Sutley, Past President of Allegany Cemetery. **\*\*New Business\*\***
2. Copy of Certificate of Liability Insurance from Heritage Preservation & Interpretation Inc.
3. NYSEG-Natural Gas Emergency Response Training
4. Info from Court Clerk regarding fines from Town Prosecutor**\*\*Extend to end of year\*\***
5. Letter from Kirk Wilson, Eng. To Chris Kambar, PE (Wal-Mart) regarding sidewalk expenses
6. NYMIR-Handbook regarding Pool Safety Act Update
7. Town of Allegany Planning Board meeting minutes from 8-10-09
8. Town of Allegany Planning Board meeting minutes from 8-25-09
9. STW-Wind Energy in WNY-conference notice
10. Notice of renewal of liquor license from Birch Run Golf Course
11. Town of Allegany Planning Board meeting minutes 9-14-09

#### NEW BUSINESS

1. Award of bid for truck **\*\*Kenworth of Buffalo for Cab & Chassis - \$97,887.00 and Henderson Truck Equipment for Dump Box and Plow Equip. - \$59,179.00**

#### #174-MOTION TO REFER ORDINANCE TO PLANNING BOARD

Motion by Eaton to refer ordinance change request from Attorney Gary Abraham to the Planning Board. 2<sup>nd</sup> by Sendlakowski. Eaton-aye, Sendlakowski-aye, Hitchcock-aye. CARRIED.

#### #175-MOTION TO SET SPECIAL MEETING AND EXECUTIVE SESSION

Motion by Eaton to set a Special Meeting and Executive Session on Monday, Oct. 12<sup>th</sup> at 6:00 PM at the Town Hall. 2<sup>nd</sup> by Hitchcock. Eaton-aye, Hitchcock-aye, Sendlakowski-aye. CARRIED.

#### #176-MOTION TO SET REGULAR MEETING AND PUBLIC HEARING

Motion by Eaton to set a Regular Board Meeting and Public Hearing on the 2010 Town Budget on Thursday, Oct. 22<sup>nd</sup> at 7:00 PM at the Town Hall. 2<sup>nd</sup> by Sendlakowski. Eaton-aye, Sendlakowski-aye, Hitchcock-aye. CARRIED.

5. Letter from Jack Sutley, Past President of Allegany Cemetery. **\*\*TABLED\*\***

#### #177-MOTION TO EXTEND APPOINTMENT OF TOWN PROSECUTOR

Motion by Eaton to extend the appointment of the Town Prosecutor to December 31, 2009. 2<sup>nd</sup> by Hitchcock. Eaton-aye, Hitchcock-aye, Sendlakowski-aye. CARRIED.

## UNFINISHED BUSINESS

1. Knox-Box Rapid Entry System-fire alarm box **\*\*TABLED\*\***
2. David Ozzella Special Use Permit-Supervisor Eaton asked Carol Horowitz to draft a letter for him to sign and send to Mr. Ozzella asking him to attend the Planning Board Meeting on Monday, November 9<sup>th</sup>. Supervisor Eaton, Councilman Hitchcock, John Hare, Carol Horowitz and one other Planning Board member will meet on Tuesday, October 13th at 1:00 PM at the Town Hall to discuss this matter.

## OTHER BUSINESS

Supervisor Eaton asked the Board to consider being Lead Agency for SEQRA Study on the "Bonaventure Square" project.

Carol Horowitz discussed the Exit 24 sewer extension project with the Board.

## COMMITTEE REPORTS

None

From the Floor:

Mayor Lamberson asked the Board about the sidewalk situation at Wal-Mart. Supervisor Eaton explained that the bid has been awarded and the sidewalk should be completed in the near future.

Mike Giardini asked if the petition that was filed by Gary Abraham would be available to look at tomorrow. Supervisor Eaton told him it would be available in the Clerk's office for viewing.

## #178-MOTION TO ADJOURN MEETING

Motion by Hitchcock to adjourn the meeting. 2<sup>nd</sup> by Sendlakowski. Hitchcock-aye, Sendlakowski-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:45 PM

Respectfully submitted,

Carolyn A. Hemphill, Acting Secretary  
10/09/09

