

# MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY MAR 12, 2009 7 PM TOWN HALL

PRESENT WERE: Supervisor Eaton                      Councilman Jonak  
                    Councilman Sendlakowski      Councilman Hitchcock  
                    Councilman Wolf                      Hwy Superintendent Gleason  
                    Attorney Tuttle                      Comptroller Hemphill

ABSENT:                      Town Clerk Peck

ALSO PRESENT:      R. Pearl-Lamphier; J. Dzuroff; M. Lombardo; H. Larsen

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

## AUDITED CLAIMS

Gen A	\$37,030.34	Hwy DA	\$53,566.27
Gen B	\$56,044.50	Hwy DB	\$34,092.05
Sp Dist	\$11,529.40		

## MONTHLY REPORTS

Town Clerk	Highway Department
Building & Zoning	Recreation & Parks

## #59-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes of the February 26, 2009 special board meeting as written. 2<sup>nd</sup> by Sendlakowski. Wolf-aye, Sendlakowski-aye, Jonak-aye, Hitchcock-aye, Eaton-aye. CARRIED.

## CORRESPONDENCE

1. Consulting Services Evaluation Questionnaire from Conestoga-Rovers.
2. Letter and statement from Attorney G. Yaw
3. NYS ORPS – Residential Assessment Ratio for Town of Allegany 100%
4. Catt. Co. Real Property – letter regarding Assessment Needs Study done by Jerry Bukiewicz.
5. NYS Municipal Workers’ Comp Alliance – notice of installment due
6. NYS Public Service Commission – ERRATA NOTICE
7. Copy of St. Bonaventure Trail Project Agreement
8. Letter from Catt. Co. DPW regarding request to do speed studies to NYS DOT
9. NYS Municipal Workers’ Comp Alliance – renewal notice letter and info
10. NYS DEC – SEQR Coordination & Legal Agency Status foe waterline along Rte.

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Supervisor Eaton asked Attorney Tuttle about the St. Bonaventure Trail Project agreement (#7). He stated that in the second paragraph on page one it states that “the Town of Allegany has committed to pay...” – it makes no reference to St. Bonaventure. He also questioned paragraph four on page one stating “Federal Aid Reimbursement for the \$ 20,00 cost of the Right-of-Way Incidentals...” – not sure what the \$ 20,00 should be. She will look into these two concerns.

## NEW BUSINESS

### #60 –MOTION FOR ZBA PAYMENT

Motion by Eaton to pay Don Bigler, ZBA Chairman, once in May, once in October and once in December as in past years. 2<sup>nd</sup> by Wolf. Eaton-aye, Wolf-aye, Hitchcock-aye, Jonak-aye, Sendlakowski-aye. CARRIED.

### #61 – MOTION TO SET PUBLIC HEARING ON 1<sup>ST</sup> ST. WATER LINES

Motion by Jonak to set a public hearing on the *Map, Plan and Report for Waterline Replacement and Extension along North 1<sup>st</sup> Street/Five Mile Road from Pine Street Northward to Interstate I-86 in the Village and Town of Allegany, New York* prepared by Foit-Albert Associates Architecture, Engineering and Surveying, P.C. for Thursday, March 26, 2009 at 7:00 PM at the Town Hall. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

### #62 – MOTION TO SET MEETING ON MARCH 26, 2009 @ 7:00 PM

Motion by Eaton to set meeting on Thursday, March 26, 2009 at 7:00 PM in the Town Hall to discuss Lead Status for SEQR on the I-86 water lines status and Union Contract updates. 2<sup>nd</sup> by Hitchcock. Eaton-aye, Hitchcock-aye, Wolf-aye, Jonak-aye, Sendlakowski-aye. CARRIED.

4. Tabled until March 26<sup>th</sup>.

### #63 –MOTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH THE VILLAGE FOR SHARED COST OF 1<sup>ST</sup> STREET WATER LINE

Motion by Jonak to authorize Town Supervisor to sign the agreement with the Village for shared costs of the 1<sup>st</sup> St. waterline. 2<sup>nd</sup> by Hitchcock. Jonak-aye, Hitchcock, aye, Wolf-aye, Sendlakowski-aye, Eaton-aye. CARRIED.

## OTHER BUSINESS

- Supervisor Eaton informed the Board that he spoke with the representative from the Cemetery Association and concurred that we will be getting a grant for \$24,500. This does not include money for the excavator

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and cart because their bylaws allow for updating the cemetery but not for the day-to-day operations.

- Attorney Tuttle has complaint ready to go for cemetery trust funds but is waiting to hear from someone from the Attorney General's office. If she does not hear from them by early next week – she is going to file and if she needs to amend it at some point – she will.
- Supervisor Eaton informed the Board that Greg Yaw has talked to the Village Attorney concerning the Motherhouse water issue and believes she now understands what the purpose of our resolution was for and she is going to recommend to her Board to accept the resolution.

### COMMITTEE REPORTS

- Councilman Jonak asked Attorney Tuttle about the acquisition of the River Park. She said she received the deed description from the Village Attorney this past week. We do not have to do the annexation. She will therefore go ahead with the deed and get it filed.
- Councilman Wolf asked if anything can be done with the CORR property. He has gotten complaints about what an eyesore it has become. Supervisor Eaton will call Phil Winger.
- Councilman Sendlakowski asked Attorney Tuttle if she has heard anything from the railroad and she said “no”
- Supervisor Eaton suggested that the Board think about whether they wanted to proceed with a grant request on addition to the 60+ building.
- Councilman Hitchcock informed the Board about some vandalism at the River Park and stated the water fountain was destroyed. Two new fountains have been ordered. Also, bids are in for the dugouts at Stayer Park with award going to the lowest bidder – Joe Kwiatkowski & Ray Ribicki Contracting
- Hwy Superintendent Gleason will be getting some firm figures on the street sweeper for the Board to discuss
- Attorney Tuttle is filing the Carter case on March 13<sup>th</sup> for the hearing on March 19<sup>th</sup>
- Comptroller Hemphill informed the Board that the check (\$29,400) was received for the Court Grant
- Hwy Superintendent Gleason suggested to the Board that they may want to install a security camera in the new court clerk's office because of the way it is now set up

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Nothing from the floor.

#64 – MOTION TO ADJOURN

Motion by Jonak to adjourn the meeting at 7:35 PM. 2<sup>nd</sup> by Hitchcock. Jonak-aye, Hitchcock-aye, Wolf-aye, Sendlakowski-aye, Eaton-aye. CARRIED.

Respectfully submitted,

Carolyn Hemphill  
Acting Secretary