

MINUTES – TOWN OF ALLEGANY PUBLIC HEARINGS (3) TUESDAY, SEPT. 1, 2009 SENIOR CENTER 7:00 PM

PRESENT WERE: Supervisor Eaton Councilman Jonak
Councilman Sendlakowski Councilman Hitchcock
Councilman Wolf Hwy Superintendent Gleason
Comptroller Hemphill Town Clerk M. Peck

Also present: J. Hare, B. Phillips, F. Defiore, R. Kavanagh, S. Kellogg, J. Boser – Legislator, Atty. Greg Yaw, K. Wilson-Town Engineer, R. Pearl, Cory Wikter, M. Duggan, D. Benson, J. Reid, J. Reid, H. Larson, D. Sue, C. Sue, Zycks, Bockmiers, news media.

Salute to the Flag at 7:00 pm opened the Public Hearings.

Supervisor Eaton: Advised this meeting is being held for three (3) Public Hearings. 1) To develop a proposed sewer line from the Village Line to Exit 24, 2) development of a water line from the Village Line to under Exit 24, and 3) to request a change of use of H.U.D. monies. The original intent of this money was for low income housing, incubator, or low income usage. The new purpose is to use monies for development of infrastructure of water and sewer lines with the primary intent of producing new jobs. There is a Federal Law that mandates two (2) Public Hearings. Supervisor Eaton opened the floor to the public for comments:

Jim Boser, County Legislator: 92 N. 1st St., Allegany, NY 14706 – states that this requested change of use of the H.U.D. money is a wonderful thing for Allegany, local municipalities and the entire Cattaraugus County. This will create jobs. The County Legislature is very, very happy about this proposed project.

Jim Reid: would like someone to explain the scope of the project.

Engineer K. Wilson – showed on maps where the waterline and sewer line placements were. There is no plan at this time to put a line down Sheldon Drive. This will provide enough water for fire protection.

Supervisor Eaton – there will now be fire protection and you will receive a yearly bill for maintenance of fire hydrants.

Jim Bockmier: is the property across the railroad tracks included in the “circle” of fire protection? **Kirk Wilson** answered: “yes”.

Supervisor Eaton: the main goal is to get the main line from the Village Line to West Five Mile Road.

Mel Duggan: questioned if the work that is being done now adequate enough to be extended if needed in the future?

Supervisor Eaton: advised that yes, it will be sufficient enough to go to the Old Drive In.

Mel Duggan: will the line become a Town Sewer Line?

Supervisor Eaton: answered, yes that it is planned to be dedicated to the Town.

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There were no other questions or comments.

#146-MOTION TO ADJOURN PUBLIC HEARING ON SEWER

Motion by Wolf to adjourn the sewer public hearing. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Public hearing on the Sewer Line closed at 7:18 pm.

#147-MOTION TO ADJOURN PUBLIC HEARING ON WATER

Motion by Sendlakowski to close the public hearing on the water line to Exit 24. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Public hearing on the Water Line closed at 7:19 pm.

John Hare: Karl Road, Allegany, NY: questioned that the Town is not eliminating the purpose of the H.U.D. monies, just adding to usage, correct?

Supervisor Eaton: advised that H.U.D. money has regulations. You can use H.U.D. money for water/sewer lines if you are going to develop jobs as the end result.

John Hare: are you adding to the uses of this money, or changing it?

Supervisor Eaton: if this request is granted, then we will be just changing the use of the money for the water/sewer line.

#148-MOTION TO ADJOURN PUBLIC HEARING ON H.U.D. MONEY CHANGE OF USE

Motion by Hitchcock to adjourn the public hearing on the change of use of H.U.D. money. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Public Hearing on Change of Use of H.U.D. money adjourned at 7:20 pm

Supervisor Eaton opened the Regular Meeting at 7:20 pm.

#149-MOTION TO SEND OUT LEAD AGENCY STATUS FOR SEQR PORTION OF SEWER LINE TO EXIT 24

Motion by Eaton that the Town of Allegany sends out lead agency status to the same agencies as for the water line for the sewer line to Exit 24. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#150-MOTION TO AUTHORIZE DEFINITE MAP, PLAN & REPORT FOR EXIT 24 LLC WATER LINE

Motion by Eaton: WHEREAS, on August 13, 2009, the Allegany Town Board (hereinafter referred to as Board) called a public hearing and provided notice thereof under Town Law S2002-b on a Map, Plan and Report for the Construction of a Waterline along NYS Route 417 from the Village Line Westward to West Five Mile Road in the Town of Allegany, New York prepared by Foit-Albert Associates Architecture, Engineering and Surveying, P. C. (hereinafter referred to as Engineer) dated August, 2009 (hereinafter referred to as Report), and

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WHEREAS, the Board conducted a public hearing on September 1, 2009 in accordance with such notice and heard all parties interested desiring to address the Board, now therefore upon the Report and the evidence provided at such public hearing be it

RESOLVED, the Board determines that it is the public interest to construct the proposed improvement as described in the Report, and be it further

RESOLVED, that the Engineer is directed to prepare definite plans and specifications, to make a careful estimate of the expense and to prepare, with the assistance of legal counsel for the Town, a contract for the execution of any portion of the work which will not be performed by the forces of the Town of Allegany. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#151-MOTION TO ADJOURN MEETING

Motion by Jonak to adjourn meeting. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 7:23 pm.

Respectfully submitted,

Mary M. Peck, Town Clerk
9/8/09