

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY JUNE 11, 2009 TOWN HALL 7:00 PM

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

ALSO PRESENT: Assessor, R.Pearl-Lamphier, CEO, J.Dzuroff, Legislator Boser, Legislator Giardini,
G.Ayers, H. Larsen, L. Kardos, R. Kyser, D.Benson

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

AUDITED CLAIMS

Gen A	\$40,977.94	Hwy DA	\$25,119.18
Gen B	\$ 4,189.10	Hwy DB	\$38,255.79
Sp Dist	\$38,269.48		

MONTHLY REPORTS

Town Clerk	Highway Department
Building & Zoning	Recreation & Parks

Town Justice D. Porter – report for May 2009 – amount collected: \$9,145.00.

Town Justice A. Spears – report for May 2009 – amount collected: \$9,061.75.

#93-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from the May 14, 2009 regular town board meeting as written. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.
CARRIED.

CORRESPONDENCE

1. NYS DOT – 3 notices of access highway designations in the Town of Allegany.
2. NYS DEC – invitation to participate in the regular joint inspection of the Olean Flood Protection Project. (June 15 & 16th, 2009)
3. NYS Public Service Commission – Notice soliciting comments
4. Assoc. of Towns – notice of summer planning & zoning schools.
5. Fund balances as of 5/13/09 as submitted by Comptroller
6. Sales Tax Revenues from 2004 through 2009. (chart)
7. STW – Certificates of Appreciation
8. Letter from Catt. Co. Legislature regarding funding guidelines from the Upstate Empire State Development Corporation.
9. NYS ORPS – 2009 State Equalization Rates – Rate complaints
10. Catt. Co. Real Property Services - notice of Assessor's filing of annual statement of financial disclosure with Cattaraugus County Board of Ethics.
11. NYS Off Track Betting – notice of Task Force formation to analyze the off-track betting system.
12. Town of Allegany Zoning Board of Appeals minutes from 5-04-09 meeting & Notice of Action.
13. Time Warner Cable – notice of changes in services and programs

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING

THURSDAY JUNE 11, 2009 TOWN HALL 7:00 PM

14. NYS Mun. Wrks Comp Alliance - funding contribution notice for 7-01-09.
15. USDA – questionnaire regarding Cranberry Court Apartments.
16. BELCO – letter and contract for handicap lift in the Town Hall.
17. NYS Office of Community Renewal – RE: request for funding
18. NYS P.E.R.B. – request for info to update their files.

NEW BUSINESS

#94-MOTION TO ACCEPT RESIGNATION

Motion by Wolf to accept the resignation of Jim Gould , former Town Hall Custodian. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#95-MOTION TO SIGN PRIMARY KENNEL CONTRACT

Motion by Sendlakowski to authorize the Town Supervisor to sign the Primary Kennel Contract with Joyful Rescues for \$35 per dog. 2nd by Wolf. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#96-MOTION TO SIGN ASSESSMENT SERVICES CONTRACT WITH CATTARAUGUS COUNTY

Motion by Jonak to authorize the Town Supervisor to sign the assessment services contract with Cattaraugus County for the assessment year 7/1/09 through 7/1/10. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#97-MOTION TO SIGN MOSQUITO SPRAYING CONTRACT WITH CATTARAUGUS COUNTY

Motion by Hitchcock to authorize the Town Supervisor to sign the mosquito spraying contract with Cattaraugus County in the amount of \$8188.81. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#98-MOTION TO SET OVERTIME RATE AT CEMETERY

Motion by Eaton that the Allegany Cemetery shall charge Saturday rates for any burial after 4pm on a weekday. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#99-MOTION TO SET SUMMER PAY PERIODS FOR RECREATION & PARKS EMPLOYEES

Motion by Jonak to approve the annual summer two-week pay period schedule for Recreation & Park employees. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#100-MOTION TO RENEW B.A.N.

Motion by Sendlakowski to renew the B.A.N. for the Back-hoe and dump truck in the amount of \$43,800 at Five Star Bank at 2.8%. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Borrowing for street sweeper ***** TABLE TO NEXT MEETING *****

UNFINISHED BUSINESS

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING

THURSDAY JUNE 11, 2009 TOWN HALL 7:00 PM

#101-MOTION TO SET SPECIAL MEETING

Motion by Eaton to set a special meeting on Thursday, June 25, 2009 at 7:00 at the Town Hall to set a public hearing on the Exit 24 LLC water/sewer issue. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Supervisor Eaton advised the Board that St. Bonaventure has Foit-Albert Assocs. As their engineering firm. Therefore, Supervisor Eaton asked the board for permission to look for another engineer for our part of the St. Bonaventure project. Committee will look into.

#102-MOTION TO APPROVE FIRST STREET WATER LINE CONSTRUCTION

Motion by Eaton **Whereas**, by Resolution dated March 26, 2008, the Allegany Town Board (hereinafter referred to as *Board*) authorized Foit-Albert Associates Architecture, Engineering and Surveying, P. C. (hereinafter referred to as *Engineer*) to prepare plans and specifications for the First Street Water Line Replacement and Extension (hereinafter referred to as *Plans and Specifications*) and approved the intermunicipal agreement with the Village of Allegany (hereinafter referred to as *Intermunicipal Agreement*), and

Whereas, the Board has received and examined the Plans and Specifications, now therefore be **Resolved**, the Board adopts the Plans and Specifications, and be it further

Resolved, that the Board authorizes and directs the Engineer and town employees in coordination with the Village of Allegany under the Intermunicipal Agreement to construct the improvements in accordance with the Plans and specification. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#103-MOTION TO ACCEPT SEWER PETITION FROM EXIT 24 LLC

Motion by Eaton to accept the sewer petition from Exit 24 LLC. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#104-MOTION TO AUTHORIZE UCC BUILDING FUNDS TO BE SPENT

Motion by Eaton to authorize the U.C.C. Building funds received to help fund the water/sewer construction at Exit 24, as long as proper written authorization is received from H.U.D. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

OTHER BUSINESS

- Supervisor Eaton, Councilman Sendlakowski and Hwy Superintendent to meet with Foit-Albert Associates on Thursday, June 25, 2009.
- Cemetery update (Councilman Sendlakowski) *****Fries are to be in Allegany next week and will be starting at the cemetery. Attorney Tuttle to write up a contract for Fries so each party knows what the other wants.*****
- Councilman Wolf- regarding emergency preparedness, a three-way radio system may be put in and located at the Firemen's Community Center. The total cost is \$4500.00 and if divided three ways, it will only cost \$1500.00 each. This will be for the Fire Department, Village of Allegany and the Town of Allegany.

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY JUNE 11, 2009 TOWN HALL 7:00 PM

#105-MOTION TO CONTRIBUTE TO I BAND COMMUNICATION CENTER

Motion by Eaton that \$1500.00 be taken from the contingency fund and applied towards Fire Department for use of I Band emergency communication center. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

#106-MOTION TO HIRE TOWN HALL MAINTENANCE PERSON

Motion by Jonak to hire Don Sue for the maintenance position at the Town Hall per the maintenance description, \$10.05/hour and he is to start 6/15/09. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

- Councilman Jonak- the roof over Mark's office is leaking and the cupola is in bad shape. The Building Inspector, a roofing professional and the Town Engineer all looked at the cupola and agreed to the deterioration. The Town Engineer is to do some bid specification for repair.
- Councilman Sendlakowski – the recorder for the monument is not working anymore. A new one can be purchased for about \$100.00. going to order it.
- Discussion about a Town Prosecutor per the letter from the Town Justices. This will be put on the July 9, 2009 agenda and some names of prosecutors will be checked into.
- Attorney Tuttle – the Railroad bore contract is still on its way. The River Park description is not clear enough, too general. Attorney Tuttle advised that maybe if she physically went to the River Park, then maybe the description would make sense to her.
- A letter should be sent to Carol & Lynn Shaffer and to Helen Larsen for donating their time in planting flowers at the brick park and the senior center.

From the floor:

Don Benson – thanked the Town Board for stepping up to the plate for the Exit 24 project.

#107-MOTION TO ADJOURN MEETING

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

Meeting adjourned at 8:05 pm.

Respectfully submitted,

Mary M. Peck
Town Clerk
6/15/09