

# MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, JULY 9, 2009 7:00 PM TOWN HALL

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

ABSENT: Hwy. Superintendent R. Gleason

ALSO PRESENT: Justice Porter, M. Lombardo, L. Lombardo, H. Larsen, L. Kardos, L. Tiller, R. Pearl-Lamphier, Mayor Lamberson.

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

## MONTHLY REPORTS

Town Clerk	Highway Superintendent
Recreation & Parks	Building & Zoning

Town Justice D. Porter – report for June 2009 - amount of check \$12,411.00

Town Justice A. Spears – report for June 2009 – amount of check \$15,915.00

## AUDITED CLAIMS

Gen A	\$59,759.74	Hwy DA	\$ 4,570.51
Gen B	\$ 1,318.38	Hwy DB	\$69,351.92
Sp Dist	\$ 6,921.41		

## #109-MOTION TO APPROVE MINUTES

Motion by Wolf to approve the minutes from the June 11, 2009 regular board meeting as written. 2<sup>nd</sup> by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.

CARRIED.

## #110-MOTION TO APPROVE MINUTES

Motion by Sendlakowski to approve the minutes from the June 25, 2009 Special Board Meeting as written. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye.

CARRIED.

## CORRESPONDENCE

1. Cattaraugus Co. Health Dept. – 2009 Sanitary Survey Results
2. Notice of renewal of liquor license by The New Lakeview Chinese Restaurant
3. Notice of application of liquor license by KAM3, LLC (Allegany Bev & Redemption Center)
4. Cattaraugus Co. Youth Bureau – notice of 2009 allocation in the amount of \$3200.00
5. Letter from Assemblyman, J.Giglio in regards to A.8501/S.5661
6. Letter from the Route 16 Corridor Community Partnership Committee
7. Copy of approved agreement for Pumpkin Hollow Culvert w/ payment request form attached.
8. Cattaraugus County Real Property Services – invoice for assessment services 7/1/09 -7/1/10.
9. Time Warner Cable – notice of changes in services and broadcasting.
10. NYS DEC – Water Quality Improvement Projects Grant Program

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11. Letter from Hwy Superintendent to Dresser Rand RE: use & possible damage to Constitution Ave. in Allegany
12. Catt. Co. Real Property Services – notice of open discussion seminar to review assessment needs in Cattaraugus County.

### NEW BUSINESS

#### #111-MOTION TO DONATE TO THE BONAGANY FESTIVAL

Motion by Eaton that the Town of Allegany donate \$1000.00 (which was budgeted) to the Bonagany Festival. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### #112-MOTION TO AUTHORIZE SUPERVISOR TO SIGN WATER AGREEMENT

Motion by Sendlakowski to authorize the Town Supervisor to sign the water supply agreement with the Village of Allegany for July 2009 through July 2010. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### #113-MOTION TO AUTHORIZE SUPERVISOR TO SIGN AGREEMENT WITH CATTARAUGUS COUNTY

Motion by Wolf to authorize the Town Supervisor to sign the agreement with Cattaraugus County for funding for the Exit 24 water project. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

1. Catt. Co. IDA – revisions to Uniform Tax Exemption Policy

#### #114-MOTION TO AUTHORIZE TOWN JUSTICES TO APPLY FOR A JCAP GRANT

Motion by Eaton to authorize the Town Justices to apply for a JCAP Grant. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

### OTHER BUSINESS

#### #115-MOTION TO AUTHORIZE C.E.O. TO RENEW TEMPORARY C of O FOR WALMART

Motion by Eaton to extend the Temporary Certificate of Occupancy to Wal-Mart until 8/31/09. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#### #116-MOTION TO HIRE TOWN PROSECUTOR

Motion by Eaton that the Town of Allegany hire Bert Dohl, Esq. as an independent contractor as the Town Prosecutor at \$125/hr plus mileage once per month (out of contingency fund) and to be reviewed at the end of October 2009 for budget purposes. 2<sup>nd</sup> by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

### COMMITTEE REPORTS

#### #117-MOTION TO SET PUBLIC HEARING ON DOG ORDINANCE AMENDMENT

Motion by Eaton to set a Public Hearing on August 13, 2009 at 7:00 PM to update the Dog Ordinance for the Town of Allegany to add “training” as an allowable action in section 2. 2<sup>nd</sup> by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

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- Mayor Lamberson – complimented about the First Street Water Project on what a good job was done and at a lesser cost than expected.
- Councilman Jonak- need the Cupalo checked by the Village CEO; also, Kinley and Duggan & Duggan are to look at it with the Building Inspectors. Also, waiting for information from the Town Engineer on the Senior Center expansion. Also needs information about the water/sewer systems and their operations. Electric system needs to be looked at also.
- Councilman Sendlakowski – all monuments have been repaired at the Cemetery. There are about three more trees and a couple of stumps left to be taken care of.
- Councilman Hitchcock – has received numerous dog complaints and complaints about outdoor burning. Both of these issues are difficult..... is there a polite way to handle them? Also, have received complaints about the cars and things outside at Ozzella's on the Five Mile Road. Councilman Hitchcock is to speak with Code Enforcement Officer about this issue.

From the Floor:

- Larry Kardos: how many cases will the prosecutor handle? (it is unknown at this time)

## #118-MOTION TO ADJOURN MEETING IN MEMORY OF MAVIS HITCHCOCK COLLEY

Motion by Jonak to adjourn this meeting in memory of Mavis Hitchcock Colley. 2<sup>nd</sup> by Eaton.  
Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:06 pm

Respectfully submitted,

Mary M. Peck  
7/14/09