

MINUTES – TOWN OF ALLEGANY SPECIAL BOARD MEETING THURSDAY, AUGUST 27, 2009 TOWN HALL 7:00 PM

PRESENT WERE: Supervisor Eaton Councilman Jonak
Councilman Hitchcock Councilman Wolf
Attorney Tuttle Hwy Superintendent Gleason
Town Clerk M. Peck

ALSO PRESENT: C. Horowitz, K.Wilson, B.Phillips, F.DeFiore, R. Kavanagh, L.Senglaub, Esq. ,
C.Kambar, Jeff Levy

ABSENT: Councilman Sendlakowski, Comptroller Hemphill

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

Supervisor Eaton advised that this meeting is to address the water dedication, easement for work on storm water and to grant the permanent C of O for Walmart.

Easement for stormwater:

Chris Kambar of APD Engineering: there is a resolution that does not involve the Town, and it needs to be put on Public Record. This declaration on record is sufficient for the D.E.C. (Storm Water Facilities Maintenance Declaration)

After much discussion, it was decided that after section (1) Maintenance the following will be added: **and as approved by the Town of Allegany Planning Board on 10/2/06 including the site development plans, specifications, details, and the storm water pollution prevention plan created by APD Engineering.**

#141-MOTION TO ACCEPT THE STORM WATER FACILITIES MAINTENANCE DECLARATION FOR WAL-MART

Motion by Eaton to accept the Storm Water Facilities Maintenance Declaration by BG OLEAN,LLC (DDR) with the inclusion of and as approved by the Town of Allegany Planning Board on 10/02/06 including the site development plans, specification, details, and the storm water pollution prevention plan created by APD Engineering. 2nd by Hitchcock. Jonak-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#142-MOTION TO ACCEPT THE WATER LINES DEDICATION

Motion by Eaton that the Town of Allegany accept the Water dedication proposal with BG OLEAN,LLC as written. 2nd by Jonak. Jonak-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#143-MOTION TO GRANT DDR A CERTIFICATE OF OCCUPANCY

Motion by Eaton that the Town of Allegany grant D.D.R. a Certificate of Occupancy on the site-plan review as approved by the Town of Allegany Planning Board on 10/2/06. 2nd by Jonak. Jonak-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

Carol Horowitz: spoke about the preliminary short EAF for Exit 24 LLC water lines. She and Kirk Wilson have been working on this. The cemetery issue at this site is a stumbling block for this project. It is not known exactly where the “cemetery” is located or if it is still there or moved sometime in the past. The state requires proof of it being moved, or proof it is still there and where. Much discussion between

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board , Carol Horowitz, Kirk Wilson and W.Tuttle. Carol Horowitz has written a letter to an individual that conducts archaeological services to see if anything can be decided.

Highway Superintendent: provided a handout regarding purchase of a new tandem axle dump truck. Would like to purchase before the 1st of the year to save money as there is a new emissions system regulation going into effect after the 1st of the year. Would like the truck to be purchased under special districts also as it is used for in special districts quite often.

#144-MOTION TO SET MEETING

Motion by Eaton to set a meeting on Tuesday, Sept. 1, 2009 after the Public Hearings already scheduled. 2nd by Hitchcock. Jonak-aye, Hitchcock-aye, Wolf-aye, Eaton-aye. CARRIED.

#145-MOTION TO ADJOURN MEETING

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

Meeting adjourned at 8:05 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
8/28/09