

MINUTES – TOWN OF ALLEGANY PUBLIC HEARING AND REGULAR BOARD MEETING THURSDAY – MARCH 11, 2010 7PM TOWN HALL

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

ALSO PRESENT: J.Dzuroff, B.Fox – Catt. Co. DPW, P.Winger-St. Bonaventure, H.Larson, F.DeFiore, C.Fortuna-Village Trustee, C. Horowitz and J. Haid- resident.

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

Public Hearing on the Proposed Local Law #1 of 2010 regarding “Driveway Permits”

*** Public Hearing on the Proposed Local Law #1 of 2010 regarding “Driveway Permits” was opened by Supervisor Eaton. No comments or questions by the board or the audience. ***

#73-MOTION TO CLOSE PUBLIC HEARING

Motion by Jonak to close the public hearing on the Proposed Local Law #1 of 2010 regarding “Driveway Permits”. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED. Public Hearing closed at 7:01 pm.

AUDITED CLAIMS

Gen A	\$36,742.69	Hwy DA	\$120,700.86
Gen B	\$69,235.45	A.P.	78.64
Sp Dist	\$1,565.26	Hwy DB	\$24,453.84

MONTHLY REPORT

Town Clerk	Highway Dept.
Parks & Recreation	Building & Zoning

Town Justice D.Porter – report for February 2010 – amount of check \$9516.00

Town Justice A. Spears – report for February 2010 – amount of check \$6895.000

#75-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes from the February 25, 2010 town board meeting as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. Liquor License renewal notice from Randy’s Up the River
2. Reply from Assemblyman J.Giglio regarding Mark Lombardo’s request
3. Memo from J.Dzuroff to Town Board RE: Highway Garage Heaters
4. Letter from Kirk Wilson to J.Dzuroff regarding Highway Garage Heaters
5. Copy of letter from Hwy Supt. To Administrator of Absolut at Allegany Re: parking
6. NYS Comptroller’s Office letter date March 2010
7. Syracuse University Env. Finance Cntr. – notice of Conference

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8. Time Warner Cable – notice of new developments
9. Memorandum dated 3/8/10 from Conestoga-Rovers & Assoc. – ZO Noise Standard Review
10. Letter from Robert Dean RE: Cultural Resource Investigation of Rte 417 Waterline Ext.

#75-MOTION TO RE-ESTABLISH SEQR AND NEPA FOR EXIT 24 WATER LINE RE-ALIGNMENT

Motion by Eaton that the Town Board has reviewed the potential impacts that may result from the change in the alignment of the Exit 24 Waterline and has determined that it is unnecessary to re-open the SEQR and NEPA review, and also direct the Town Clerk to attach this memorandum and the letter from Mr. Dean of March 2, 2010 to the Board's October determinations, as a permanent record of the Board's analysis. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

NEW BUSINESS

1. Local Law #1 of 2010 regarding "Driveway Permits" *****TABLE for Attorney Tuttle to review*****
2. St. Bonaventure Trail SEQR Declaration & Design Approval

#76-MOTION TO DECLARE A NEGATIVE DECLARATION ON Bona's TRAIL PROJECT FOR SEQR

Motion by Eaton that the Town Board declare a negative declaration on the SEQR study for the St. Bonaventure Trail Project. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#77-MOTION TO AUTHORIZE SUPERVISOR TO APPROVE FINAL DESIGN FOR BONA'S TRAIL

Motion by Hare to authorize the Town Supervisor to grant authority on behalf of the Town Board to approve the final design report of the St. Bonaventure Trail Project #PIN 5757.64. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#78-MOTION TO SEND LETTER TO PLANNING BOARD FOR SEQR LEAD AGENCY IN TANGLEWOOD SUB-DIVISION

Motion by Eaton that the Town Board send a letter to the Planning Board advising no objection and the Planning Board be Lead Agency in this project. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

3. 2/17/10 letter from C.Horowitz to Town Board RE: Tanglewood Subdivision Solicitation of SEQR Lead Agency Status
4. Map, Plan & Report for proposed Sewer District #3 – Tanglewood Subdivision ***** Attorney G. Yaw working with A.Tiller on this, so no action by Town Board at this time. *****

UNFINISHED BUSINESS

1. Lease Agreement from Fourth & Maple LLC for gym use for 2010 ***** TABLE *****
2. Update on sewer grants *****Supervisor Eaton was working through Massa's office, but called C.Schummer's office, and now they are pushing this issue through. There is a meeting on 3/18/10 at the Court Room regarding this matter. *****

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3. Ruby Skroback letter to Town Board dated 2-1-10 *****TABLE *** Letter to Ms. Skroback that Town Board is researching her request.**

#79-MOTION TO APPROVE MAZZA MAINTENANCE AGREEMENT

Motion by Jonak to approve the Maintenance Agreement from MAZZA HVAC dated 2/18/10: CO 137 for \$2200/yr and CO138 for \$6620/yr, with the difference of \$3820.00 taken from contingency fund for the additional amount that was not previously budgeted. 2nd by Eaton. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

- Councilman Hare – waiting for map for broadband service in this area from Time Warner.
- Councilmen Sendlakowski & Hare met with M. Blumenthal and Dominic Papasergi on upgrading of the Town/Village web-site. It was a very positive meeting. To upgrade the web-site, the cost will be around \$4,000.00 (\$2000.00 each). This will help make the web-site user friendly.
- Councilman Hare – spoke with Paul Clarke of N. Nine Mile Rd.. Advised him that the NYS DEC has regulations in the works, therefore the Town cannot do anything at this time. Mr. Clark will have to file a complaint to Town Court. DEC advises that they cannot do anything unless they catch someone burning “red-handed”.
- Councilman Hitchcock – had shared services (non-formal) meeting with Mayor Lamberson, Hwy. Superintendent R.Gleason, Councilman Sendlakowski . Discussed a few issues and perhaps the ability to file grant applications jointly.
- Councilman Jonak – GOACC having a luncheon at the Bona’s Clubhouse regarding the Bona Square Project. An informational meeting only open to public at \$15.00 per person. Anyone can attend.
- Hwy Superintendent – there are right of way issues with parcel on corner of Constitution Ave. and Route 417 (vacant Uni-Mart Bldg). Too small for future development. Perhaps the town can abandon the right of way as it is unused and not needed. There are other road abandonment issues that need to be researched with Town Attorney, also.
- Hwy Superintendent – Well Head Protection Plan (Catt. Co. Health Dept.) to send this information to the Planning Board to review to possibly incorporate it into the Zoning Ordinance. (the village is to do this also)

#80-MOTION TO REFER NOISE ISSUES OF WIND FARMS TO PLANNING BOARD FOR SPECIFICS

Motion by Eaton that the Noise Issues of Wind Farms be sent back to the Planning Board for further review and to draft specific requirements on the 45decibel level and to confer with Attorney Daniel Spitzer on the enforcement issue. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

From the Floor: nothing

#81-MOTION TO ADJOURN MEETING

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

Meeting adjourned at 8:28 PM

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Respectfully submitted,

Mary M. Peck, Town Clerk
3-15-10