

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING TUESDAY, JAN. 22, 2013 7:00 PM TOWN HALL

PRESENT WERE: Supervisor Hare Councilman Koebelin
Councilman O'Dell Councilman Hitchcock
Councilman Allen Attorney Tuttle
Comptroller Hemphill Hwy Superintendent Moshier
Town Clerk M. Peck

ALSO PRESENT: J.Crisafulli, M.Giardini, R.Gleason, F.Defiore, H. Larson, D.Menter, R.Kavanagh,
K.Boser, D.Leavitt, K.Lent-Paul, C.Rhodes

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

AUDITED CLAIMS

Gen A	\$20,680.15	Hwy DA	\$11,222.36
AP	\$ 9,635.77	AP	\$ 9,687.52
Gen B	\$ 2,657.64	Hwy DB	\$ 8,378.85
AP	\$ 212.93		
Sp Dist	\$ 3,925.00		
AP	\$ 5,731.06		

#42-MOTION TO APPROVE MINUTES

Motion by Koebelin to approve the minutes from the Dec. 28, 2012 end-of-the-year meeting with attachments as written. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#43-MOTION TO APPROVE MINUTES

Motion by Allen to approve the minutes from the Jan. 8, 2013 regular board meeting as written. 2nd by O'Dell. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. N.Y.S. Assembly – letter regarding foreclosure bills (A.88 and A.824).
2. Town of Allegany Planning Board minutes from the 12/10/12 meeting.
3. SUNY – Human Resources – letter regarding Tier VI Pension Reform
4. Email letter from M.Burns and C. Kelly-Ladd re: Everpower
5. Monthly report from Recreation and Parks Dept.

NEW BUSINESS

#44-MOTION TO SIGN AGREEMENT WITH CATTARAUGUS COUNTY DPW

Motion by Hare that the Town enter into the agreement with Cattaraugus County to spend town highway funds for 2013. 2nd by O'Dell. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#45-MOTION TO APPOINT PLANNING BOARD CHAIRMAN

Motion by Hare to appoint Frank DeFiore as the Planning Board Chairman. 2nd by Allen. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

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1. Ambit Energy presentation

***This was given by Dorothy Menter and Deborah Leavitt: this was regarding “signing up” with Ambit Energy and receiving electric, gas, utilities at a lower rate than what is received now. No contract, no agreement, nothing to sign, just have to provide account numbers and accounts may receive energy credits. This was not decided upon by the board at this time.

OTHER BUSINESS

1. Possible modification of the approved PD District for Bona Square Project
2. Emergency Services Agreement with the Village (from organizational meeting)
3. Executive Session to discuss legal matters (Foit-Albert)
4. Executive Session to discuss legal & personnel matters.

*** Jason Crisafulli gave a short summary of what is desired in the Bona Square Development: there will be the same number of apartments, no change in square footage, they just will do more with less land. They would like to stack the apartments on top of the recreation center building. It was discussed that the change request is not material enough that it needs to go through the entire process again.

#46-MOTION TO APPROVE PROPOSED PD DISTRICT CHANGES

Motion by Hare to approve the proposed changes by Kinley Corp. for Bona Square project as there are no major significant changes. 2nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#47-MOTION TO MODIFY BONAVENTURE SQUARE PD DISTRICT

Motion by Hare to modify the Bonaventure Square PD district first adopted by the Town Board on 8/26/10 and amended on 6/9/11 will be further amended: On page 1, the description would be modified to read as follows: up to 132,000 square feet of entertainment/restaurant/apartments space. That facility could include a restaurant, sports lounge, 24 lane bowling facility, a video game arcade, and two upper stories of apartments which will contain no more than 165 total beds which will be configured on one and two bedroom units. Ancillary services to serve the apartments could be a fitness center and meeting rooms. The facility could include a clock tower as both a decorative and usable building element; the overall building square footage includes the useable square footage in the clock tower. **Height:** No more than 4 stories, not to exceed 60 feet in height. The height of the entrance feature (clock tower) on the entertainment/restaurant/apartment is established as a maximum of 60 feet. The paragraph on page 2 describing the stand alone apartment building is eliminated. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

COMMITTEE REPORTS

- Councilman Koebelin- advised that he and Supervisor Hare negotiated the 4-year Union Contract and it is finalized. (1/1/13 – 12/31/16)
- Councilman Allen- advised that the time clock at the cemetery is broken. Will look into purchasing another one.

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- Supervisor Hare and Hwy Superintendent Moshier – met with Dominic Papasergi regarding the sharing of the purchasing of equipment.

From the floor: nothing from the floor.

#48-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND LEGAL MATTERS

Motion by Hare to adjourn to executive session to discuss personnel and legal matters. 2nd by O'Dell. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye. Hare-aye. CARRIED.

Regular session adjourned at 8:07 pm.

#49-MOTION TO ADJOURN EXECUTIVE SESSION AND RE-ENTER REGULAR SESSION

Motion by O'Dell to adjourn executive session and re-enter regular session. 2nd by Hare. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#50-MOTION TO ADJOURN ENTIRE MEETING

Motion by Allen to adjourn entire meeting. 2nd by Koebelin. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

Meeting adjourned at 8:59pm

Respectfully submitted,

Mary M. Peck, Town Clerk
1/30/13