

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, APRIL 14, 2011 7:00 PM TOWN HALL

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

ALSO PRESENT: H.Larson, B.Spencer, B.Brazell, J.Louser, G. Straub, D.Lowe, M.Threehouse, N. Mosman, M.Giardini, D.Koebelin, D&C Boser, T. Gilbert, C.Horowitz, G.Abraham, J.Dzuroff, D.Spitzer, B & B. Benjamin, M. Duggan, F.DeFiore, R. Kavanagh

ABSENT: Councilman Jonak and Councilman Hare

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

Open bids for Cemetery Excavator : 1) Anderson Equipment: \$48,839.00 w/ non-collusive bid cert.
2) George & Swede : \$42,000.00 NO non-collusive bid cert.
3) Five Star : \$46,000.00 w/ non-collusive bid cert.
4) Robert Benjamin (Yanmar) \$44,577.00 w/ non-collusive bid cert.

Highway Union Presentation : Jeff Louser provided a handout to the board members advising that they will be willing to adjust their wages and health insurance items for 2012 because of the economic hardships. This will be voted on at the next meeting.

AUDITED CLAIMS

Gen A	\$30,139.49	Hwy DA	\$49,594.88
Gen B	\$78,226.41	Hwy DB	\$40,768.80
Sp Dist	\$1,523.84		

MONTHLY REPORTS

Town Clerk	Recreation & Parks
Highway Dept.	Bldg & Zoning (Feb. 2011 & March 2011)

Town Justice D.Porter – report for March 2011 – amount of check \$9524.00

Town Justice A. Spears – report for March 2011 – amount of check \$10,050.00

#88-MOTION TO APPROVE MINUTES

Motion by Hitchcock to approve the minutes from the March 24, 2011 regular board meeting as written. 2nd by Sendlakowski. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

CORRESPONDENCE

1. E-mail from G.Yaw, Esq. regarding the Home Depot water lines dedication.
2. Letter from Ben Brazell – Allegany Wind Power Project Wind Overlay District Application **NB**
3. E-mail from C.Horowitz regarding Scope of District Energy Plan & Rendering
4. E-mail from C.Horowitz regarding the Wal-Mart notice of decision
5. Ross Wilson & Assoc. – Proposed Town of Allegany Recreation Facility **NB**
6. Memorandum from Attorney Tuttle regarding Foit-Albert Surveying Services **UB**

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, APRIL 14, 2011 7:00 PM TOWN HALL

7. Catt. Co. IDA – RE: Revisions to Uniform Tax Exemption Policy
8. Letter from G.Abraham regarding Sensitive Receptors, Everpower Proposal
9. NYMIR – Handbook – Vehicle Electrical Failures & Fires.
10. NYS Dept. of Ag & markets – notice of Satisfactory Shelter Report 2/18/11.
11. Time Warner Cable – notice of programming changes.
12. STW – thank you letter for dues payment and Certificate of Appreciation.
13. Thank you letter from Sam & Sherry Quattrone regarding noise ordinance vote (wind)
14. US Dept of Commerce – letter from Director of Census Bureau
15. NYMIR – notice of annual meeting and proxy vote to fax (by 4/22/11)
16. Letter from R.Frisinia regarding Allegany Wind Project
17. Letter from D.Spitzer, Esq. (Hodgson Russ)

UNFINISHED BUSINESS

1. Letter from C.Horowitz regarding the Amendment to SEQR Negative Declaration for Bonaventure Square.
2. Email and information from J.Hare regarding Section 808 in Employee Handbook. ****TABLE****
3. Uni-Mart Engineering Study (#6 from above) *****Supervisor Eaton to call K.Wilson*****

#89-MOTION TO RETAIN FOIT-ALBERT & ASSOCIATES FOR UNIMART ENGINEERING ISSUE

Motion by Sendlakowski to retain Foit-Albert & Associates for the engineering/survey for the Uni-Mart property. 2nd by Hitchcock. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

NEW BUSINESS

#90-MOTION TO SET PUBLIC HEARING ON REDUCTION OF SEWER RATES

Motion by Eaton to set a Public Hearing on Thursday, April 28, 2011 at 7:00 pm at the Town Hall to discuss a 15% reduction in sewer rates for town users. 2nd by Sendlakowski. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

1. Town-Wide Broadband ***** Supervisor Eaton spoke with Attorney Yaw regarding this and will be researched further to see if the Town can do this by law. *** TABLE *****
2. Executive Session – discuss assessor contract

#91-MOTION TO ACCEPT RESIGNATION FROM ZONING BOARD OF APPEALS

Motion by Eaton to accept, with regret the resignation from John Gangemi as a zoning board of appeals member effective 5/1/11. 2nd by Sendlakowski. Sendlakowski-aye, Hitchcock-aye, Eaton-aye, CARRIED.

#92-MOTION TO REFER THE WIND ENERGY OVERLAY DISTRICT APPLICATION

Motion by Eaton WHEREAS, the Town Board of the Town of Allegany has received an application from Allegany Wind LLC to establish Wind Energy Overlay District; and WHEREAS, the first step in the review of said Application is to seek input from the County of Cattaraugus Planning Board and the Town of Allegany Planning Board, adjoining communities, and members of the public. Now, therefore, be it resolved by the Town Board of the Town of Allegany as follows: 1. The Application is hereby referred to the County of Cattaraugus Planning Board and Town of

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, APRIL 14, 2011 7:00 PM TOWN HALL

Allegany Planning Board. 2. Copies of the Application shall be sent to adjoining municipalities, and any other entities as required by law. 3. A Public Hearing shall be held at the Senior Center on May 16, 2011 at 7PM. The hearing may be held as a joint hearing with the Town Planning Board. 4. The Town Clerk and/or Town Planner shall arrange for publication of the Notice of Public Hearing. 5. The applicant shall notify by first class mail all property owners required to receive notice. 2nd by Sendlakowski. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

COMMITTEE REPORTS

Councilmen Sendlakowski and Hitchcock spoke regarding the Five Mile Cemetery. The town needs the abstract and they are waiting for Cindy Craig from the State to call back. A list of assets has already been provided.

From the Floor: Gary Abraham, Esq. : addressed the board regarding the decibel levels and footage regarding the wind turbines. He would like to board to clarify this issue.

#93-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS ASSESSOR CONTRACT

Motion by Eaton to adjourn to executive session to discuss the assessor contract. 2nd by Hitchcock. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

Regular session adjourned at 7:40 pm.

#94-MOTION TO ADJOURN EXECUTIVE SESSION AND ENTIRE MEETING

Motion by Hitchcock to adjourn executive session and entire meeting. 2nd by Sendlakowski. Sendlakowski-aye, Hitchcock-aye, Eaton-aye. CARRIED.

Meeting adjourned at 8:25 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
4/15/11