

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING TUESDAY, APRIL 17, 2012 7:00 PM TOWN HALL

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

ALSO PRESENT: G.Ayers, H. Larson, F.Defiore, C.Horowitz, D.French, J.Guthrie, K.Paul, C.Boser

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

AUDITED CLAIMS

Gen A	\$37,907.20	Hwy DA	\$37,314.26
Gen B	\$ 9,527.80	Hwy DB	\$ 9,108.92
Sp Dist	\$ 3,318.44		

MONTHLY REPORTS

Town Clerk – (Feb. & March) Building & Zoning (Feb.&March)
Recreation & Parks (March) Highway Dept. (Feb. & March)

Town Justice D.Porter – report for Feb. 2012 and amount collected: \$12,332.00.

Town Justice D. Porter – report for Mar. 2012 and amount collected: \$10,796.94.

Town Justice A. Spears – report for Feb. 2012 and amount collected: \$4,446.00.

Town Justice A. Spears – report for Mar. 2012 and amount collected: \$5,002.00.

#102-MOTION TO APPROVE MINUTES

Motion by O'Dell to approve the minutes from the special board meeting held on 3/23/12 as written. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye.
CARRIED.

#103-MOTION TO APPROVE MINUTES

Motion by Koebelin to approve the minutes from the March 27, 2012 regular board meeting as written. 2nd by Allen. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. NYS DEC – notice of renewal of Permit to Giardini Bros. Const. Co., Inc. (4/16/12 – 4/15/17)
2. Notice of program changes from Time Warner Cable
3. Letter from c. Horowitz to C. Marlatt regarding Bona Square (dated 4/3/12)
4. Letter from Allegany Fire Dept. regarding the Parade on June 23, 2012- invitation to participate
5. Letter from C.T. Male Assoc. regarding road surveys for possible heavy traffic
6. Town of Allegany Planning Board minutes from the 3/12/12 meeting.
7. Letter from Attys Young/Sommer LLC to Planning Board regarding request for an extension of special use permit.

NEW BUSINESS

1. Shared Services contract between Town of Allegany and Town of Olean 3/1/12 – 6/30/16.
*****TABLE TO NEXT MEETING 5/15/12*****

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2. Memo from Don Lowe, regarding water meters and replacements. *****Highway Committee to discuss this issue with Mr. Lowe *****
3. Dog Kennel Contract adjustments (Joyful Rescues) Attorney Tuttle *****TABLE*****
4. Proposal and contract from Mark D. Alianello PE regarding Zoning Map Revisions.(C.Horowitz)*****THIS WILL BE TABLED*** , however, Carol Horowitz gave a brief summary regarding the maps in and for the Town and the need for updates; the current maps are very old and they do not show the overlay districts well. Questions as to who will own the “data” once it is compiled??*****

*****Carol Horowitz** - addressed the board regarding the issues at hand with the Bona Square project. There are a few parcels that have different owners and that has to be corrected to show only one owner of the property. Planning Board has already issued Ross-Wilson extensions and they are to run out soon. There was further discussion between the Board, Attorney Tuttle and Carol Horowitz regarding escrow accounts, traffic studies, traffic lights, etc. *******

OLD BUSINESS

- What approach (if any) do we want to take on proposed Wind Law changes that might be considered by the Planning Board? *****Short Discussions*****

OTHER BUSINESS

- Wal-Mart Supercenter Post-Development Traffic Assessment (Carol Horowitz)****better signage is suggested for this area per the traffic study performed. DDR owns the property, therefore, they will need to authorize the signs needed. *****
- Everpower to be on Planning Board agenda at their May 14th meeting.

#104-MOTION TO PAY FOIT-ALBERT & ASSOC. FOR SPECIAL SURVEY

Motion by Hare to pay Foit-Albert & Associates \$5350.00 for the special survey performed which is in excess of the original amount of \$2200.00 as there were more specifics required by NYS DOT than originally anticipated. 2nd by Koebelin. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#105-MOTION TO CANCEL REGULAR MAY MEETINGS AND SET ANOTHER

Motion by Hare to cancel the regularly scheduled May meetings and hold one meeting on May 15, 2012 at the Town Hall. 2nd by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

COMMITTEE REPORTS

- Councilman Allen and Supervisor Hare met with Town Comptroller regarding accounting balances and reports. Councilman Allen found one report that can be used and given out on a monthly basis that will show account balances. This will be used.
- Councilman O'Dell – received a phone call from Potter Lumber Co. regarding the use of Lippert Hollow Road. Questions regarding road issues are to be directed to the Highway Department.

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- Councilman O’Dell- large lumber companies are leasing land for hunting and people are putting campers on the land. Is this acceptable? This is a zoning issue and should be directed to the Code Enforcement Officer.
- Councilman Hitchcock- sending out bids requests for the cemetery fence (Five Mile Cemetery). Also, the park & recreation dept. has three bids for resurfacing the River Park basketball court. 1) Kingsview Paving - \$7900.00; 2) Gary Davis - \$10,700.00; and 3) Richard Peck - \$12,875.00. This is a budgeted item, therefore, the Recreation & Parks Director can decide on this.

From the Floor: Frank DeFiore – Planning Board Chairman – extended a formal invitation to the town board members to the May 14th meeting which will be held at the Senior Center. Also, Hans has showed him how to update the website information.

Cathy Boser – does Everpower have a road agreement with the Town of Allegany?

Supervisor Hare – yes they do – from last August 29, 2011. If they want to change the route other than what is in the agreement, they need to address the Town Board.

Councilman Koebelin – The route that was approved last August, includes other routes that are not in the Town of Allegany. The question is : does Everpower need to have formal road use agreements for every different municipality in which their route goes through?

Supervisor Hare: yes, they do. If they move forward with the current agreement of August 29, 2011, they can continue on.

#106-MOTION TO ADJOURN MEETING

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

Meeting adjourned at 8:27 pm.

Respectfully submitted,

Mary M. Peck, Town Clerk
4/19/12