

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING TUESDAY, APRIL 9, 2013 7:00 PM TOWN HALL

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

ABSENT: Attorney W. Tuttle

Also present: G.Ayers, C.Fischer, E. Peck, M.Karl, K. Lent-Paul, G.Phearsdorf, C.Horowitz, H. Larson, F.Defiore, B.Jordan, R.Nolan.

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

MONTHLY REPORTS

Town Clerk Building & Zoning
Highway Dept.

Town Justice D. Porter – report for March 2013 – amount of check \$6334.50.
Town Justice A. Spears – report for March 2013 – amount of check \$6230.00.

#82-MOTION TO APPROVE MINUTES

Motion by Koebelin to approve the minutes from the March 26, 2013 regular board meeting as written. 2nd by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#83-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes from the April 8, 2013 special meeting with a change to designate the Chair of the Catt. Co. Legislature to apply for the funding. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

CORRESPONDENCE

1. Memorandum from Sen. Catharine Young on the Final State Budget CHIPS funding
2. Letter from Assemblyman Giglio advising of Town of Allegany CHIPS aid: \$156,495.00.
3. Copy of letter from Supervisor Hare to Transitowne Resale Center regarding auto sales
4. Memo from Recreation Department regarding Town Parks Pavilion Roofs
5. Memo from Recreation Department regarding YMCA –vs- local services for parks & recreation
6. Town of Allegany Planning Board minutes from the 3/4/13 meeting.
7. Town of Allegany Planning Board minutes from the 3/11/13 meeting.
8. Truck/Plow/Dump Box Bid Information: 1) Henderson Truck Equip – bid for plow equipment & dump box bid: \$75,443.00. a non-collusive bid certificate was included. 2) Kenworth – bid for 2014 cab & chassis - \$119,300.00, a non-collusive bid certificate was included. 3) Ken Tronetti of Henrietta, NY – 2014 cab & chassis - \$118,713.68 and a non-collusive bid certificate was included.

NEW BUSINESS

1. Review plow/truck bids (John Moshier)

#84-MOTION TO AWARD 2014 CAB & CHASSIS TRUCK BID

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Motion by Hare to award the bid for the new 2014 Cab & Chassis to Kenworth of Buffalo, NY, Inc. in the amount of \$119,300.00. 2nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

#85-MOTION TO AWARD DUMP BOX & PLOW EQUIPMENT BID

Motion by Hare to award the dump box & plow equipment bid to Henderson Truck Equipment in the amount of \$75,443.00. 2nd by Allen. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

2. NYMIR – request for proxy vote

#86-MOTION TO ACCEPT SLATE FOR NYMIR VOTE

Motion by Hare to accept the slate for the NYMIR vote. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

3. Dissolution of Allegany Economic Development Corp.

#87-MOTION TO DISSOLVE THE ALLEGANY ECONOMIC DEVELOPMENT CORPORATION

Motion by Hare **BE IT ENACTED** by the Town Board of the Town of Allegany, New York, as follows: **WHEREAS**, by resolution adopted by the board of directors of the Town of Allegany Economic Development Corporation (the “Corporation”) on April 3, 2013, the Corporation’s board of directors have approved the dissolution of the Corporation; and **WHEREAS**, the Town of Allegany, New York is a non-voting member of the Corporation; and **WHEREAS**, the Town of Allegany, New York, by exercise of the vote of its Town Board, would like to consent to the dissolution of the Corporation; by the Town Board of the Town of Allegany, New York as follows: Section 1. The Town Board of the Town of Allegany, New York hereby consents to the dissolution of the Corporation. Section 2. This resolution shall take effect immediately. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

4. Transfers per memo from Comptroller

#88-MOTION TO APPROVE BUDGET ADJUSTMENT PER COMPTROLLER MEMO

Motion by Hare to approve the following budget adjustment:

Estimated Revenues	DB510	Debit \$33,433.78	
CHIPS \$33,433.78	DB3501		
Appropriations	DB960		Credit \$33,433.78
CHIPS \$33,433.78	DB5112.2	2 nd by Allen. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye.	<u>CARRIED.</u>

#89-MOTION TO APPROVE TRANSFER PER COMPTROLLER MEMO

Motion by Hare to approve the following transfer:

Appropriations	A960	Debit \$4,000.00	
Rec Director \$3700.00	A7310.10		
Parks Director \$ 300.00	A7110.10		
Appropriations	A960		Credit \$4,000.00
Rec Contractual \$4000.00	A7310.43.	2 nd by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye.	<u>CARRIED.</u>

OTHER BUSINESS

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1. Carol Horowitz – update on a Public Hearing for amendment to the Zoning Ordinance *** Ms. Horowitz gave a short summary regarding the reasons for the Public Hearing for amendments to the Zoning Ordinance II.

#90-MOTION TO SET PUBLIC HEARING

Motion by Hare to schedule a Public Hearing on Tuesday, April 23, 2013 at 7:00 pm at the Town Hall regarding the proposed amendments to the Zoning Ordinance II in Section 5.02, Temporary Structures or Uses, and in Article IX, Site Plan Approvals, to re-organize the chapter to make the review process more clear. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

2. Executive Session to discuss personnel issues and pending litigation

COMMITTEE REPORTS

- Councilman Hitchcock – regarding the roof repairs on the pavilions at River Park, he would like to postpone the repair until he can speak with some people regarding shingles –vs- tin roofing.
- Supervisor Hare, Councilman Allen and Hwy Superintendent Moshier- met with a person regarding the repair of the brick on the Town Hall. They are to meet tomorrow again with this gentleman.
- Councilman Hitchcock & Councilman Koebelin – discussions between all board members regarding using the YMCA –vs- keeping recreation department locally run. **Board agreed to abandon requesting a quote from the YMCA and to evaluate applications and schedule interviews for Parks and Recreation Director.** Also, Mike Niles is going to take care of getting the fields ready for the baseball season.
- Councilman Allen – would like to schedule an appointment with Chris Baker, **Cattaraugus County Emergency Director**, to do a walk-through of the Senior Center to see what needs to be done to qualify for the grant application moneys for Emergency Shelter.

From the Floor:

Kelly Lent-Paul - questioned “why no mediation involved in the “dog barking” case?”

Ellen Peck – why is there no reports in the Olean Times Herald regarding the break-ins, etc. that have been occurring around Allegany lately? And has the town been stockpiling sand for next year?

Councilman Allen- answer to Ellen’s question – the Times Herald has to request the information to print, **from the Police Agencies logs.**

Hwy Superintendent Moshier – reply to Ellen’s question about sand: “yes, we have been stockpiling sand **at the reduced rate of \$1.00_ per ton.**”

Curt Fischer – the matter in Carey Hollow is getting out of hand. If one person can shoot a gun, so can everyone else. If the town would enact an ordinance against guns, then no one can fire a gun. Plus, summer is coming and the manure stinks.

#91-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS PERSONNEL AND LITIGATION

Motion by hare to adjourn to executive session to discuss personnel issues and pending litigation. 2nd by Koebelin. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Allen-aye, Hare-aye. CARRIED.

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Regular portion of meeting adjourned at 8:05pm.

#92-MOTION TO ADJOURN EXECUTIVE SESSION

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

#93-MOTION TO ADJOURN ENTIRE MEETING

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

Entire meeting adjourned at 8:50 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
4/10/13