

# MINUTES – TOWN OF ALLEGANY REGULAR TOWN BOARD MEETING TUESDAY, MAY 13, 2014 7:00 PM TOWN HALL

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PRESENT WERE: Supervisor Hare Councilman Koebelin  
Councilman O'Dell Councilman Hitchcock  
Councilman Parker Hwy Supt. Moshier  
Attorney W. Tuttle Comptroller C. Hemphill  
Town Clerk M. Peck

ALSO PRESENT: M.O'Dell, B.Jordan, C.Ladd, M.Burns, H. Larson, F.Defiore, S.Guthrie, T. & L. Brown

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

## AUDITED CLAIMS

Gen A	\$41,223.32	Hwy DA	\$12,299.21
Gen B	\$ 8,254.96	Hwy DB	\$34,101.35
Sp Dist	\$35,201.47		

## MONTHLY REPORTS

Town Clerk	Building & Zoning
Highway Dept.	Recreation & Parks Dept.

Town Justice D. Porter – report for April 2014 – amount of check \$10,230.25.

Town Justice A. Spears – report for April 2014 – amount of check \$8867.00.

## #84-MOTION TO APPROVE MINUTES

Motion by O'Dell to approve the minutes from the April 29, 2014 public hearing and regular meeting as written. 2<sup>nd</sup> by Parker. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

## CORRESPONDENCE

1. NYMIR – notice of proposed rate adjustments for 2014 (reductions)
2. Letter and map provided by Tom & Lynn Brown. **\*\*\*DISCUSSION BETWEEN BOARD AND THE BROWNS\*\*\***
3. Letter from St. Bonaventure (with \$1,000.00 check) pursuant to agreement for town right-of-way parcel.
4. NYS Dept. of State – letter regarding Regional Economic Development Council initiative.
5. Results from bid specs for trucks and dump/plow – Highway Dept.
6. Request from Nick Quattrone (Manager) Allegany-Limestone baseball team (use of Stayer Park)**\*\*\*THIS TO BE TABLED TO NEXT MEETING TO ALLOW THE RECREATION COMMITTEE TIME TO OBTAIN MORE DETAILS. IN ANY CASE, INSURANCE MUST BE OBTAINED WITH THE TOWN NAMED AS ADDITIONAL INSURED\*\*\***

Results from the Truck Bids:

DUMP TRUCK BIDS:	\$57,376.00	VanBortel Ford, Inc.	2015 – F550 Reg Cab – 4X4
	\$63,741.00	West Herr Ford	2015 – F550-Diesel w/ PTO
	\$56,247.00	West Herr Ford	2015 – F550-Gas V10 w/o PTO
	\$54,985.00	Ed Shults Ford	2015 – F550-Chasis/Cab

# MINUTES – TOWN OF ALLEGANY REGULAR TOWN BOARD MEETING TUESDAY, MAY 13, 2014 7:00 PM TOWN HALL

---

¼ TON PICK-UP BIDS:	\$31,240.00	Ed Shults Chev. Inc.	2015-Chev Silverado 2500HD w/dbl cab
	\$30,068.00	Hoselton Auto Mall	2015-Chev Silverado 2500HD w/ dbl cab
	\$31,689.00	West Herr Ford	2015- Ford-F250
½ TON PICK-UP BIDS:	\$30,995.00	Ed Shults Chev. Inc.	2014-Chev-Silverado K-150 w/ dbl cab
	\$32,768.00	Hoselton Auto Mall	2014-Chev-Silverado 1500 w/ dbl cab
	\$27,716.00	West Herr Ford	2014-Ford-F150 <b>**must be ordered by</b>

**5/21/14\*\*\*** (all bids included a non-collusive bid certificate)

## NEW BUSINESS

1. Catt. Co. Attorney's Office – Mosquito Spraying contract for 2014
2. Referral to Planning Board to review Wind Overlay District

### #85-MOTION TO PARTICIPATE IN CATT. CO. MOSQUITO SPRAYING FOR 2014

Motion by Hare to have the Town of Allegany enter into a contract with Cattaraugus County for the mosquito spraying for 2014. 2<sup>nd</sup> by Koebelin. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

### #86-MOTION TO REFER TO PLANNING BOARD - REVIEW OF WIND OVERLAY DISTRICT

Motion by Hare to refer to Town of Allegany Planning Board for its review and recommendation concerning rescinding the wind overlay district created on August 29, 2011 by the Allegany Town Board, motion #157 of 2011. 2<sup>nd</sup> by Koebelin. DISCUSSION: Supervisor Hare made the point that the Town is NOT proposing to eliminate the provision whereby the Town Board creates a wind overlay district. It is considering rescinding the project specific wind overlay district created on August 29, 2011. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

## UNFINISHED BUSINESS

1. Set public hearing for cemetery rate increases.

### #87-MOTION TO SET PUBLIC HEARING FOR CEMETERY RATE CHANGES

Motion by Hare to set a Public Hearing on Tuesday, May 27, 2014 at 7:00 pm at the Town Hall for the proposed changes to the cemetery rates/charges. 2<sup>nd</sup> by Hitchcock. Koebelin-aye, O'Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

## COMMITTEE REPORTS

- Supervisor Hare - has a request from Justice Porter for the Courts. **\*\*\*TABLE TO NEXT MEETING.\*\*\***
- Councilman Hitchcock – advised that the building at the cemetery has been moved. Also, the situation at the River Park has not changed. The parking areas are still being used by Weitsman and employees.
- Councilman O'Dell- maybe we should contact the owner about the problem.

# MINUTES – TOWN OF ALLEGANY REGULAR TOWN BOARD MEETING TUESDAY, MAY 13, 2014 7:00 PM TOWN HALL

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- Councilman Koebelin- perhaps a chain link fence would help, at least the kids at the park would have some protection from the larger trucks and traffic.

From the floor:

- Frank DeFiore – advised that the Community Bank, NA and the Olean Physical Therapy projects are progressing very well.
- Tom Brown – would like to thank the Board for their time.
- B.Jordan – does Allegany Wind have to abandon the project under the current circumstances?
- Supervisor Hare advised that his question is a legal one which he cannot answer.

## #88-MOTION TO ADJOURN TO EXECUTIVE SESSION ON A PERSONNEL ISSUE AND FOR LEGAL ADVICE

Motion by Hare to adjourn to executive session on a personnel issue and for legal advice. 2<sup>nd</sup> by Hitchcock. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

This portion of meeting adjourned at 7:35 pm.

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

Motion by Hare to adjourn executive session and re-enter regular session. 2<sup>nd</sup> by Parker. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

## #90-MOTION TO ADJOURN ENTIRE MEETING

Motion by Koebelin to adjourn entire meeting. 2<sup>nd</sup> by O’Dell. Koebelin-aye, O’Dell-aye, Hitchcock-aye, Parker-aye, Hare-aye. CARRIED.

Meeting adjourned at 8:13pm

Respectfully submitted,

Mary M. Peck, Town Clerk  
5/14/14