

MINUTES – TOWN OF ALLEGANY REGULAR BOARD MEETING THURSDAY, MAY 26, 2011 7:00 PM TOWN HALL

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

ALSO PRESENT: D.Sue, H. Larson, R. Kavanagh, S.Guthrie, R.Kyser, R. LaForge, union workers, townspeople and news media.

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

#113-MOTION TO APPROVE MINUTES

Motion by Jonak to approve the minutes from the May 10, 2011 joint Town/Village board meeting as written. 2nd by Sendlakowski. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#114-MOTION TO APPROVE MINUTES

Motion by Hare to approve the minutes of the May 12, 2011 regular town board meeting as written. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED

CORRESPONDENCE

1. Town of Allegany Planning Board Meeting minutes from 4/11/11 meeting.
2. Town of Allegany Planning Board Meeting minutes from 4/27/11 meeting.
3. Notice of Decision of the Town Planning Board on the St. Elizabeth Motherhouse project.
4. NYMIR – subscriber/member capital distribution letter
5. NYS DOT – letter advising of reduced speed limit on Townsend Hollow to 30 mph
6. NYS DOT – letter advising of reduced speed limit on Two Mile road to 35 mph
7. NYS ORPS – notice of Cyclical Aid Certification: \$12,421.67.
8. Copy of letter from Attorney Tuttle to Attorney Fodor regarding shared services.

UNFINISHED BUSINESS

1. Town Cemeteries *****Attorney Tuttle spoke with the Department of State, but has only received general information so far. This will be put on the next agenda *****
2. Attorney D. Spitzer, Broadband (Resolution) *****This will be put on the next agenda *****

#115-MOTION TO HIRE TEMPORARY SEASONAL CEMETERY WORKERS

Motion by Sendlakowski to hire two temporary, seasonal cemetery workers at \$8.00/hr, working no more than 20 hrs per week each ending 8/31/11. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

#116-MOTION TO INCREASE CEMETERY SUPERINTENDENT'S HOURS PER WEEK

Motion by Eaton to boost the Cemetery Superintendent's hours to 35 hours per week ending effective 8/31/11 and will revisit the issue of more hours at that time. Same rate of pay. 2nd by Hare. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED

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NEW BUSINESS

#117-MOTION TO AUTHORIZE SUPERVISOR TO SIGN MOSQUITO CONTRACT

Motion by Sendlakowski to authorize the Town Supervisor to sign the mosquito contract/agreement with Cattaraugus County for 2011, the amount being \$9,028.16. 2nd by Hitchcock. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED

OTHER BUSINESS

#118-MOTION TO APPROVE TRANSFERS PER COMPTROLLER'S MEMO

Motion by Eaton to approve the following transfers:

\$38.00 to A1315.1 Comptroller EQ from A1315.4 Comptroller CE
\$5000.00 to A3510.1 Dog Control PS from A3510.4 Dog Control CE
\$5000.00 to A9040.8 Workers' Comp from A1990.4 Contingent
\$8000.00 to A9050.8 Unemployment from A1990.4 Contingent
\$6000.00 to B9050.8 Unemployment from B1990.4 Contingent. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare-aye, Eaton-aye. CARRIED.

- Executive Session – Legal Contracts w/ Everpower – Potential Litigation
- Reminder of Public Hearing for June 8th on Bona Square Development

From the floor:

- Alan Pero – Representative for International Union of Operating Engineers: spoke on behalf of the proposed wind energy project. Presented a petition to the board (Rob Laforge handed out) of persons in favor of wind energy.
- Lee Ingersoll – resident of Chipmonk all of his life. He is in favor of wind energy, believes they are a majestic site.
- Barbara Hastings – Allegany Resident. Admires wind mills. Is in favor of them. She researched this issue in depth as the Director of Public Health in Cattaraugus County and found nothing substantial to be wary of.
- David Koebelin – Allegany Resident. Questioned where the numbers mentioned in the advertisement in the Olean Times Herald coming from?
- Supervisor Eaton – we are a long way from talking dollars. He will call Kevin Sheen to see where the numbers came from in the ad.
- Atty D.Spitzer – explained briefly about the fire districts and the moneys allocated to them.
- Ron Kyser – Allegany Resident – Pro wind mills. We can't keep up with fossil fuels. We have to do something to keep taxes down.
- Don Giardini – Allegany Resident – pro wind mills. This will be sustainable power. This project will create local jobs.
- Supervisor Eaton – addressed the audience regarding how Attorney D. Spitzer was rudely treated at a previous meeting. He hopes Mr. Spitzer doesn't hold it against the entire town for a few rude remarks. Extended apology.

#119-MOTION TO ADJOURN TO EXECUTIVE SESSION TO DISCUSS HOST AGREEMENT AND POSSIBLE LITIGATION

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Motion by Eaton to adjourn to executive session to discuss Host Agreement and possible litigation. 2nd by Jonak. Jonak-aye, Sendlakowski-aye, Hitchcock-aye, Hare –aye, Eaton-aye. CARRIED.

Regular meeting adjourned at 7:35 pm

#120 – MOTION TO ADJOURN EXECUTIVE SESSION AND ENTIRE MEETING

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

Entire meeting adjourned at 9:20 pm

Respectfully submitted,

Mary M. Peck, Town Clerk
6/3/11